

# Exhibit 6

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOHAMMED THANI A.T. AL THANI\*

\*

VS. \* NO. 20-CV-4765

\* (JMP)

ALAN J. HANKE, ET AL

\*

## REMOTE ORAL DEPOSITION OF

**SHERRY SIMS**

AUGUST 25, 2022

15 ORAL DEPOSITION OF SHERRY SIMS, produced  
16 as a witness at the instance of the Plaintiff,  
17 and duly sworn, was taken in the above-styled  
18 and numbered cause on the 25th day of August,  
19 2022, from 10:19 a.m. to 2:45 p.m. CST, before  
20 Gail Spurgeon, Certified Court Reporter in and  
21 for the State of Texas, reported by machine  
22 shorthand remotely, with the witness being  
23 located in Dallas, Texas, pursuant to the  
24 Federal Rules of Civil Procedure, and the  
25 provisions stated on the record.

<p>1 APPEARANCES 2 3 MR. MICHAEL HEFTER 4 MR. PETER BAUTZ 5 Hogan Lovells 6 390 Madison Avenue 7 New York NY 10017 8 michael.hefter@hoganlovells.com 9 peter.bautz@hoganlovells.com 10 APPEARING FOR THE PLAINTIFF 11 12 MR. PHILIPP SMAYLOVSKY 13 Chelney Law Group 14 28 Liberty Street 15 6th Floor 16 New York NY 10005 17 philipp@chelneylaw.com 18 APPEARING FOR MARTIN STEPHENS 19 20 21 22 23 24 25</p>	Page 2	<p>1 SHERRY SIMS, 2 having been first duly sworn, testified as 3 follows: 4 EXAMINATION 5 BY MR. HEFTER: 6 Q. Ms. Sims, hi. I'll introduce myself 7 again. I'm Michael Hefter. I'm here on behalf 8 of Mr. Mohammed Al Thani, and my colleague Peter 9 Bautz is on the video as well. We would also 10 let you know that Mr. Philipp Smaylovsky, who is 11 counsel to Martin Stephens, is also on the phone 12 and may have some questions for you after I am 13 through. 14 Do you understand, Ms. Sims, that 15 you're under oath today? 16 A. Yes. 17 Q. And you understand that this 18 deposition -- that you're providing deposition 19 testimony as if you were sitting in a courtroom? 20 A. Yes. 21 Q. Do you understand that? 22 A. Yes. 23 Q. I understand that you've been deposed 24 before, but before we get into the history of 25 your testimony, I want to point out some</p>	Page 4
<p>1 INDEX 2 PAGE 3 Appearances..... 2 4 Changes and Signature..... 131 5 Reporter's Certificate..... 133 6 7 SHERRY SIMS 8 EXAMINATION BY MR. HEFTER..... 4 9 10 EXHIBITS 11 EXHIBITS DESCRIPTION PAGE 12 13 Exhibit 1 3/25/19 Email..... 39 14 15 Exhibit 2 Metro States Capital Bank Screen Shots .... 47 16 17 Exhibit 3 Cash Photo..... 63 18 19 Exhibit 4 Business Phone Text Messages..... 64 20 21 Exhibit 5 Personal Phone Text Messages..... 96 22 23 Exhibit 6 7/29/20 Email..... 123 24 25</p>	Page 3	<p>1 instructions, which I gave to you the last time, 2 but I want to repeat those. 3 You are not being represented here 4 today by a lawyer; is that correct? 5 A. Correct. 6 Q. And in connection with the case that 7 my client and Mr. Stephens has filed, at this 8 point in time, you have decided to proceed 9 pro se? 10 A. Correct. 11 Q. So in connection with this 12 deposition, I'll be asking you questions. To 13 the extent that you do not understand my 14 question, please let me know and I'll try to 15 rephrase it to the best of my ability. If you 16 feel that a question that I'm asking you is 17 objectionable, as your own counsel, you're 18 entitled to state an objection on the record. 19 I'll try not to ask objectionable questions for 20 the purposes of this deposition. 21 If at any point in time you need a 22 break for any reason, you want to get a cup of 23 coffee, water, or you need to use the rest room, 24 please let me know and we can certainly 25 accommodate you.</p>	Page 5

<p style="text-align: right;">Page 6</p> <p>1 Do you understand those instructions?</p> <p>2 A. Yes.</p> <p>3 Q. And I would add that, as you may be</p> <p>4 aware, since you've been deposed before, that</p> <p>5 it's important that I finish my question, and</p> <p>6 then I'll let you finish your answer, so the</p> <p>7 court reporter can have a clean record and we're</p> <p>8 not talking over each other. At least, I think,</p> <p>9 both of us should strive to achieve that goal.</p> <p>10 Do you understand that?</p> <p>11 A. Yes.</p> <p>12 Q. Let's start, Ms. Sims, with your</p> <p>13 educational background. Is it -- is my</p> <p>14 understanding correct that your highest level of</p> <p>15 education is high school?</p> <p>16 A. Correct.</p> <p>17 Q. And what year did you graduate from</p> <p>18 high school?</p> <p>19 A. 1986.</p> <p>20 Q. And after high school, what did you</p> <p>21 do?</p> <p>22 A. I was working.</p> <p>23 Q. And what were you doing in connection</p> <p>24 with work?</p> <p>25 A. I had three jobs when I graduated</p>	<p style="text-align: right;">Page 8</p> <p>1 real estate license.</p> <p>2 Q. Fair enough. Were those properties</p> <p>3 commercial or residential?</p> <p>4 A. Farmland.</p> <p>5 Q. Pardon?</p> <p>6 A. Farmland.</p> <p>7 Q. Oh, farmland, okay.</p> <p>8 Do you still own any of those</p> <p>9 properties?</p> <p>10 A. No.</p> <p>11 Q. Describe for me the business of SGIT.</p> <p>12 A. SGIT was formed to be a private</p> <p>13 surety.</p> <p>14 Q. And do you know when it was formed?</p> <p>15 A. The end of 2013, beginning of 2014.</p> <p>16 Q. And what was your role in connection</p> <p>17 with establishing SGIT?</p> <p>18 A. I was -- I don't know the answer to</p> <p>19 that. Can you ask it more specific?</p> <p>20 Q. Sure, I can try.</p> <p>21 So, SGIT is an acronym for</p> <p>22 SubGallagher Investment Trust; is that correct?</p> <p>23 A. Correct.</p> <p>24 Q. And that is a trust that's formed</p> <p>25 under the laws of Wyoming?</p>
<p style="text-align: right;">Page 7</p> <p>1 high school.</p> <p>2 Q. So just generally, as you are aware,</p> <p>3 the primary focus of this deposition will be in</p> <p>4 connection with the activities of yourself and</p> <p>5 SGIT and GIT. So, in a general sense, can you</p> <p>6 just give me your work background from the time</p> <p>7 you graduated from high school until you started</p> <p>8 in business with SGIT?</p> <p>9 A. I worked in a glass company. I</p> <p>10 worked at Schwan's, sales. I worked in the --</p> <p>11 as a headhunter, and then I worked in the</p> <p>12 telecom communication, and then I did real</p> <p>13 estate.</p> <p>14 Q. Would it be fair to say that, prior</p> <p>15 to SGIT, that real estate was your primary focus</p> <p>16 to that point in time?</p> <p>17 A. Correct.</p> <p>18 Q. And what in connection with real</p> <p>19 estate were you working?</p> <p>20 A. I developed some property that I had.</p> <p>21 Q. Were you the owner of those</p> <p>22 properties?</p> <p>23 A. Correct. I do not have a real estate</p> <p>24 license. Never had one. In the state of Texas,</p> <p>25 you can buy and sell your own property without a</p>	<p style="text-align: right;">Page 9</p> <p>1 A. Correct.</p> <p>2 Q. And who formed the entity that became</p> <p>3 SubGallagher Investment Trust?</p> <p>4 A. I don't recall.</p> <p>5 Q. Did you form the entity?</p> <p>6 A. Are you asking who made the trust?</p> <p>7 Q. Correct, yeah.</p> <p>8 A. William Slater Vincent wrote the</p> <p>9 trust.</p> <p>10 Q. And what role did you play in the</p> <p>11 trust?</p> <p>12 A. Basically administrative. There</p> <p>13 wasn't an office. Office manager. I mean,</p> <p>14 whatever I was told to do.</p> <p>15 Q. Told by whom?</p> <p>16 A. Larry Wright.</p> <p>17 Q. And who is Larry Wright?</p> <p>18 A. He is the person that had 25-plus</p> <p>19 years in surety. I never even knew -- I never</p> <p>20 heard the word "surety" before meeting Larry</p> <p>21 Wright. And he came to myself and my attorney</p> <p>22 and talked to us in regards to putting a surety</p> <p>23 together and being a surety, and he directed</p> <p>24 everything to be made.</p> <p>25 Q. And when you say came to your</p>

<p>1 attorney, is that Michael Casey?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Between 2014 and 2020, was Mr. Wright</p> <p>4 involved in the business of SGIT throughout that</p> <p>5 time period?</p> <p>6 A. He was involved through the middle of</p> <p>7 2018.</p> <p>8 Q. And what happened in 2018 that caused</p> <p>9 Mr. Wright not to be involved in the SGIT?</p> <p>10 A. Well, it wasn't in 2000 -- well, it</p> <p>11 started in 2017, the end of 2017, when he had</p> <p>12 called and told me I had to go to deposition in</p> <p>13 West Virginia.</p> <p>14 Q. And you testified that Mr. Wright, at</p> <p>15 some point in time, no longer was involved in</p> <p>16 the business of SGIT?</p> <p>17 A. Correct.</p> <p>18 Q. And that was sometime either at the</p> <p>19 end of 2017 or early 2018?</p> <p>20 A. Correct.</p> <p>21 Q. And at that point in time, what was</p> <p>22 the reason for Mr. Wright to no longer be</p> <p>23 involved in the business of SGIT?</p> <p>24 A. Theft.</p> <p>25 Q. Is it your testimony that Mr. Wright</p>	Page 10	<p>1 business of SGIT continued, correct?</p> <p>2 A. It did.</p> <p>3 Q. And who are the businesspeople who</p> <p>4 ran the business of SGIT after Mr. Wright's</p> <p>5 departure?</p> <p>6 A. Basically, Mr. Wright is the one that</p> <p>7 had all the knowledge of surety, and so</p> <p>8 everything just moved forward as is, what we</p> <p>9 were understood through the agents that came to</p> <p>10 SGIT, because there was never any solicitation</p> <p>11 of business for SGIT, there was never anything</p> <p>12 like that. It was all based on relationships</p> <p>13 that were formed from before. So there was --</p> <p>14 everything stayed basically the same, just the</p> <p>15 piece of Larry being gone was removed. So he --</p> <p>16 Q. And is it fair to say -- I'm sorry.</p> <p>17 A. So he no longer collected the funds</p> <p>18 because how he had everything ran, the agents</p> <p>19 would -- had the clients. The client -- the</p> <p>20 agents would send the funds through to Larry.</p> <p>21 Larry would take his portion and then send the</p> <p>22 rest into SubGallagher. So that piece was just</p> <p>23 removed.</p> <p>24 Q. And subsequent to Mr. Wright's</p> <p>25 departure, agents continued to provide business</p>	Page 12
<p>1 had stolen money from SGIT and therefore he was</p> <p>2 no longer involved for that reason?</p> <p>3 A. He was not following through with</p> <p>4 what he had said he was doing and under contract</p> <p>5 to do.</p> <p>6 Q. Was there a contract between</p> <p>7 Mr. Wright and SGIT?</p> <p>8 A. Yes.</p> <p>9 Q. And was Mr. Wright terminated based</p> <p>10 on his conduct?</p> <p>11 A. There was never a formal termination.</p> <p>12 Just when I was deposed and found out what he</p> <p>13 had done and did my research and everything, I</p> <p>14 just never communicated again.</p> <p>15 Q. And as of that point in time,</p> <p>16 Mr. Wright was no longer in the business?</p> <p>17 A. He was in the business. He just</p> <p>18 wasn't in the business with -- with SGIT</p> <p>19 anymore. He has continued --</p> <p>20 Q. Okay.</p> <p>21 A. He has continued to do the business.</p> <p>22 Q. When you say, "He has continued to do</p> <p>23 the business," what does that mean?</p> <p>24 A. He has gone on to his next victim.</p> <p>25 Q. Okay. And so, after 2018, the</p>	Page 11	<p>1 and that process would remain the same?</p> <p>2 A. Correct. They actually -- I was --</p> <p>3 told them that -- you know, we had a</p> <p>4 conversation and everything because we were not</p> <p>5 -- Mike and I had no knowledge of surety, never</p> <p>6 been in surety, never did surety. And they came</p> <p>7 to us and said, you know, we are the ones that's</p> <p>8 supposed to do it. We are the ones that vet it</p> <p>9 and check it and take care of everything so</p> <p>10 there's nothing to be any different. It'll just</p> <p>11 come from us instead of through Larry.</p> <p>12 Q. And when you say it would come</p> <p>13 through you, that was through you and Mr. Casey?</p> <p>14 A. No, it would come through the agents.</p> <p>15 Q. And you continued to operate SGIT</p> <p>16 consistent with its past business practices at</p> <p>17 the time?</p> <p>18 A. Yeah. Using the agents, yes.</p> <p>19 Q. Other than yourself, was there any</p> <p>20 other businessperson involved in using the</p> <p>21 agents to collect money on behalf of SGIT?</p> <p>22 A. No one in the company collected</p> <p>23 money. The money went in to Mike Casey's IOLTA</p> <p>24 account.</p> <p>25 Q. Fair enough. I guess my question:</p>	Page 13

<p>Page 14</p> <p>1 Was there any other businessperson, other than 2 yourself, who was conducting the business of 3 SGIT at the time after the time that Mr. Wright 4 left the business?</p> <p>5 A. There was only the four people in all 6 of SGIT from the start.</p> <p>7 Q. Who were those people?</p> <p>8 A. Larry Wright; Michael Casey; myself; 9 and Pat Moore, the trustee.</p> <p>10 Q. Okay. Where was the offices of the 11 SGIT located?</p> <p>12 A. There were no offices. It wasn't a 13 brick-and-mortar type business.</p> <p>14 Q. Where were the operations of SGIT 15 handled?</p> <p>16 A. I guess on the computer. I mean, the 17 agents, they all had their offices. I mean, 18 these are agents that had been in business for 19 many, many years, in this specific business.</p> <p>20 Q. Where did you conduct SGIT's 21 business?</p> <p>22 A. It would depend on where I was when 23 something happened that needed to be done.</p> <p>24 Q. And you worked based on a laptop 25 computer?</p>	<p>Page 16</p> <p>1 Q. And where was that located? In or 2 around Dallas?</p> <p>3 A. Yes.</p> <p>4 Q. Is SGIT still in operation?</p> <p>5 A. No.</p> <p>6 Q. When did it cease its operations?</p> <p>7 A. 2019.</p> <p>8 Q. And do you know if SGIT, at this 9 point in time, has a trustee?</p> <p>10 A. No, it does not.</p> <p>11 Q. Who were the beneficiaries of the 12 SGIT?</p> <p>13 A. I don't recall.</p> <p>14 Q. Do you know if anybody has taken any 15 steps to replace the trustee of SGIT --</p> <p>16 A. Not that --</p> <p>17 Q. -- since 2000 --</p> <p>18 A. -- I'm aware of.</p> <p>19 Not that I'm aware of.</p> <p>20 Q. You would indicate that one of the 21 things that SGIT did was provide surety bonds; 22 is that correct?</p> <p>23 A. Correct.</p> <p>24 Q. And did it also provide financial 25 guarantees of financial transactions?</p>
<p>Page 15</p> <p>1 A. Most of the time that laptop or my 2 iPad or my phone.</p> <p>3 Q. Is it your testimony that SGIT did 4 not have any formal office?</p> <p>5 A. Yes, they had no formal office.</p> <p>6 Q. Did it have a business address that 7 was registered with the State of Texas or any 8 other state?</p> <p>9 A. I'm not sure. I -- I don't know.</p> <p>10 Q. Did it have a post office box or 11 anything to receive --</p> <p>12 A. Yes. Yes.</p> <p>13 Q. -- mail?</p> <p>14 Where was that post office box?</p> <p>15 A. It was PO Box 1830 in Midlothian, 16 Texas 75 -- 76065.</p> <p>17 Q. Was that the only place that it 18 received mail, as far as you know?</p> <p>19 A. Correct.</p> <p>20 Q. And would it be fair to say that 21 Mr. Casey conducted whatever business he was 22 doing from his law offices?</p> <p>23 A. He worked from his -- he didn't have 24 a brick-and-mortar building. He had an office 25 in his home.</p>	<p>Page 17</p> <p>1 A. There were surety bonds that were 2 labeled that.</p> <p>3 Q. Do you understand what the term 4 "credit enhancement" means?</p> <p>5 A. I believe it's like a cosigner.</p> <p>6 Q. And did SGIT provide any cosignatures 7 for credit enhancement transactions?</p> <p>8 A. Not that I'm aware of.</p> <p>9 Q. During the course of SGIT's business 10 from around 2014 to 2019 or so, how many surety 11 bonds did it issue?</p> <p>12 A. Could you repeat those dates?</p> <p>13 Q. From its inception until its -- the 14 time that it stopped doing business, how many 15 different surety bond transactions did SGIT 16 provide?</p> <p>17 A. I don't -- I don't know the exact 18 number. It wasn't a large -- a large amount. 19 It -- I mean, they did, I'm going to say, five 20 to ten a year, I think.</p> <p>21 Q. And would it be fair to say that the 22 company -- or the trust maintained documents 23 that would indicate the different transactions 24 that it had entered into?</p> <p>25 A. No -- well, from 2013 to 2018, Larry</p>

<p>1 would have. He's the one that received all  2 documents. We never received any documents.  3 The only thing we got was sent the -- the bond  4 itself, and I would go somewhere and have it  5 printed and then take it to Ms. Moore to have  6 signed and send it out.</p> <p>7 Q. And after 2018, did the trust  8 maintain documents that would show the different  9 transactions that it was engaged in?</p> <p>10 A. Only if they were on computer. They  11 didn't keep any hard copy documents of anything.</p> <p>12 Q. Okay. Fair enough. And did the --  13 did SGIT maintain its own computer servers?</p> <p>14 A. There was computer servers put in. I  15 don't remember when exactly it was. There was a  16 link that gave them their email.</p> <p>17 Q. When you say link that gave them  18 email, who are you referring to when you say  19 "them"?</p> <p>20 A. Instead of it being @gmail, it would  21 be @SubGallagher or SGIT. Is that what you're  22 asking?</p> <p>23 Q. No, that -- that's fine.</p> <p>24 And so, would it be fair to say that  25 there was a domain name @sgitllc.com?</p>	<p>Page 18</p> <p>1 A. Mshappy.  2 Q. Any others?  3 A. Well, there's the -- (Zoom audio  4 glitch).</p> <p>5 Q. You cut out for one second, ma'am.  6 (Reporter requests clarification.)</p> <p>7 A. I said there was the one that was set  8 up before the domain thing was put in, and that  9 was the sgifunding@gmail.com.</p> <p>10 Q. (BY MR. HEFTER) Any others?  11 A. No.</p> <p>12 Q. We know you have produced texts and  13 audio files of your conversations with Mr. Alan  14 Hanke. Other than texts, do you use any other  15 app-based product to communicate with third  16 parties?</p> <p>17 A. I use WhatsApp to talk to my family.</p> <p>18 Q. Did you ever use WhatsApp to conduct  19 any business of SGIT?</p> <p>20 A. I don't recall.</p> <p>21 Q. Have you ever used any other  22 applications to communicate with third parties  23 in connection with SGIT's business?</p> <p>24 A. No.</p> <p>25 Q. So you're aware that there are</p>
<p>1 A. Yes, there was one.</p> <p>2 Q. And did you have your own email  3 account through that domain name?</p> <p>4 A. There was just one email. It never  5 had multiple accounts or multiple people with  6 it. It just had the one. When Larry set it up,  7 he only had the one put on it.</p> <p>8 Q. So based on that testimony, is it  9 fair to say that when you were communicating as  10 part of SGIT's business, you would use the  11 sgitllc.com email account?</p> <p>12 A. Yes.</p> <p>13 Q. During the course of SGIT's business  14 life, did you use any other email account to  15 conduct the business of SGIT?</p> <p>16 A. If somebody emailed me separately on  17 one of my personal accounts, then it would be --  18 there would be one there.</p> <p>19 Q. And what are your -- what were the  20 personal accounts that you either used or  21 continue to use today?</p> <p>22 A. That would be the SRS Holdings.</p> <p>23 Q. And is there any other personal  24 account that you used during the period that  25 SGIT was in business?</p>	<p>Page 19</p> <p>1 various applications that are encrypted that  2 could be used to communicate?</p> <p>3 A. You're giving me a little more credit  4 than is due. I am technologically not savvy.</p> <p>5 Q. Okay. That's fair enough. But you  6 got your phone to work on this thing so that --  7 that's more than I could probably do.</p> <p>8 In connection with the document  9 request that we served and you were ordered to  10 produce in connection with jurisdictional  11 discovery, did you search the files of -- did  12 you search email accounts other than the  13 sgitllc.com domain?</p> <p>14 A. I searched anything that came up on  15 the -- on my iPad and my laptop, everything. I  16 searched everything to send everything over to  17 you.</p> <p>18 Q. Did you search the SR -- oh, that's  19 SRS Holdings, which you currently use.</p> <p>20 Did you use -- did you search mshappy  21 for any responsive documents?</p> <p>22 A. Yes.</p> <p>23 Q. Did you search your WhatsApp account  24 for any responsive documents?</p> <p>25 A. I believe so.</p>

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<p style="text-align: right;">Page 22</p> <p>1 Q. You had indicated that -- let me back 2 up for a second.</p> <p>3 In connection for your deposition 4 today, how did you prepare for it?</p> <p>5 A. I pray. Read my Bible this morning.</p> <p>6 Q. Okay. Did you review any documents 7 in advance of today or two weeks ago?</p> <p>8 A. I don't have any documents to review.</p> <p>9 Q. So is it your testimony that as of 10 right now, you've turned over to us all 11 documents in your files, plus the audio, that 12 were responsive to our request?</p> <p>13 A. Correct.</p> <p>14 Q. Prior to today, in preparation for 15 your deposition, did you consult with any 16 counsel or lawyer to prepare you?</p> <p>17 A. No.</p> <p>18 Q. Did you speak with Mr. Casey about 19 your deposition either today or two weeks ago?</p> <p>20 A. No.</p> <p>21 Q. When was the last time you spoke to 22 Mr. Casey?</p> <p>23 A. Last week.</p> <p>24 Q. Was that conversation in connection 25 with these consolidated cases, meaning Mr. Al</p>	<p>1 A. Maybe ten.</p> <p>2 Q. So are you familiar with a gentleman 3 by the name of Joe Greco?</p> <p>4 A. Yes.</p> <p>5 Q. And did SGIT provide a surety bond to 6 Mr. Greco?</p> <p>7 A. Yes.</p> <p>8 Q. And Mr. Greco filed a lawsuit against 9 SGIT; is that correct?</p> <p>10 A. Correct.</p> <p>11 Q. As far as you know, has Mr. Greco 12 been repaid any of the amounts that he claims 13 are owed?</p> <p>14 A. I do not know.</p> <p>15 Q. And that was a transaction that was 16 put together by a gentleman by the name of Max 17 Barber?</p> <p>18 A. Correct.</p> <p>19 Q. All right. And would -- just by way 20 of background, would Mr. Barber constitute one 21 of the agents that you were referring to before?</p> <p>22 A. No. No. He was actually brought to 23 SGIT by Charlotte Croxford. Her company name 24 was NGIA, I believe.</p> <p>25 Q. And just -- I've seen her name</p>
<p style="text-align: right;">Page 23</p> <p>1 Thani's case and Mr. Stephens's case?</p> <p>2 A. No.</p> <p>3 Q. Does Mr. Casey still act as your 4 personal counsel?</p> <p>5 A. No.</p> <p>6 Q. Do you have any legal relationship 7 personally with Mr. Casey?</p> <p>8 A. No.</p> <p>9 Q. And so what was the nature of your 10 conversation with Mr. Casey the last time you 11 spoke?</p> <p>12 A. If you've watched on the news, you 13 know now that Dallas is pretty much under water, 14 and I was calling to make sure him and his 15 family were safe.</p> <p>16 Q. Okay. Thank you.</p> <p>17 Prior to that call, have you had any 18 conversation with Mr. Casey about allegations 19 that either my client or Mr. Stephens has made 20 in this case?</p> <p>21 A. No.</p> <p>22 Q. Since 2018, if you recall, how many 23 surety bonds did SGIT provide?</p> <p>24 A. From 2018?</p> <p>25 Q. Yes.</p>	<p style="text-align: right;">Page 25</p> <p>1 before, but for the court reporter's benefit, 2 can you just spell that name so I have it 3 correct. Her last name.</p> <p>4 A. Let me write it down. I believe it's 5 C-r-o-x-f-o-r-d.</p> <p>6 Q. Oh, Croxford?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Okay. Thank you. Thank you.</p> <p>9 Would Ms. Croxford constitute an 10 agent that you were referring to before?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. Are you familiar with an 13 entity called Allnet?</p> <p>14 A. Yes.</p> <p>15 Q. Did SGIT provide a surety bond for a 16 transaction involving Allnet?</p> <p>17 A. Yes.</p> <p>18 Q. And did that transaction result in 19 litigation being filed against SGIT?</p> <p>20 A. Correct.</p> <p>21 Q. Do you know where that litigation was 22 filed?</p> <p>23 A. In Las Vegas.</p> <p>24 Q. Are you familiar with an entity 25 called Pak, P-a-k, Company?</p>

7 (Pages 22 - 25)

1       A. I don't recall that name. 2       Q. Do you know if SGIT provided a surety 3 bond in connect with a transaction involving the 4 Pak Company? 5       A. I don't recall that one. 6       Q. With respect to the Allnet 7 transaction, who was the agent on that one? 8       A. The company was AGS, and his name -- 9 I can't remember his name right off the -- one 10 of those things, it's on the tip of my tongue, 11 but I don't remember it. 12       Q. Okay. Do you know where AGS is 13 located? 14       A. Las Vegas. 15       Q. Are you familiar with an entity 16 called SRM? 17       A. I don't recall that name. 18       I have lost you guys on the screen. 19 I'm trying to get you guys back. 20       Q. Okay. 21       A. And I may have to get them in here 22 because -- 23       Q. Okay. That's fair. 24       MR. HEFTER: Let's go off 25 the record for a moment.	Page 26 1       Florida. 2       Q. What was his role in connection with 3 SGIT? 4       A. He did transactions with CGE, and 5 they contacted the surety to do surety for them. 6       Q. Was Mr. Roth an agent or was he more 7 of a principal involved in the transaction? 8       A. Principal. 9       Q. Do you know if there's been 10 litigation filed by Mr. Roth in connection with 11 any transaction that he did with SGIT? 12       A. I'm not aware of any. 13       Q. Are you familiar with a gentleman by 14 the name of Lance Baraker? 15       MR. HEFTER: B-a-r-a-k-e-r, for the 16 court reporter. 17       A. I don't know that name. 18       Q. (BY MR. HEFTER) Do you know if you 19 had any email communication or telephone calls 20 with Mr. Baraker? 21       A. I don't recognize the name. 22       Q. Do you recall if SGIT did any 23 business with a company affiliated with 24 Mr. Baraker? 25       A. I don't recognize the name so I don't
Page 27 1       A. Okay. I just found you. 2       Q (BY MR. HEFTER) Okay. Let's go back 3 on the record. 4       A. Sorry about that. 5       Q. Are you familiar -- I mean, do you 6 know if SGIT provided a surety bond for any 7 transaction involving SRM? 8       A. I don't recall. 9       Q. Would you or the company have files 10 that would show all of the surety bonds that 11 were provided by SGIT? 12       A. I don't know that we would have hard 13 copy files. I would have to go back to emails 14 where they were sent over. 15       Q. Yeah. I meant documents, whether 16 hard copy or emails. I wasn't making a 17 distinction. 18       A. Yeah. On email, I would have to go 19 through and get -- and do it by email. 20       Q. Okay. Thank you. 21       Are you familiar with a gentleman by 22 the name of David Roth? 23       A. Yes. 24       Q. And who is David Roth? 25       A. David Roth is a gentleman out of	Page 29 1       know. 2       Q. Okay. Are you familiar with a 3 company called Harvard Distributing? 4       A. Yes. 5       Q. And did SGIT provide a surety bond 6 involving a transaction involving Harvard 7 Distributing? 8       A. I don't know if that was one of -- 9 that came in but I'm not sure that was one that 10 was provided. 11       Q. Did you have any discussions with 12 anybody at Harvard Distributing about a 13 potential surety bond transaction? 14       A. It would have been Alan Hanke. 15       Q. Do you recall if you personally had 16 any communications with Harvard Distributing or 17 anybody from Harvard Distributing? 18       A. I don't recall. 19       Q. Are you familiar with a gentleman by 20 the name of Michael Martino? 21       A. I don't recall that name. 22       Q. I think I know your answer to the 23 question, but do you recall any conversations 24 with Mr. Martino or email communications 25 involving the business of SGIT?

<p>1        A. I don't recall.</p> <p>2        Q. When you did your search for</p> <p>3        documents relating to our document request, did</p> <p>4        you search your files for communications with</p> <p>5        Mr. Martino or Harvard Distributing?</p> <p>6        A. I mean, I would have -- if it would</p> <p>7        have been there, I would have pulled it out.</p> <p>8        Q. So is your testimony that you</p> <p>9        specifically looked for communications between</p> <p>10       yourself and Harvard Distributing in response to</p> <p>11       our document request?</p> <p>12       A. If it was requested, I did.</p> <p>13       Q. Did you search your files for any</p> <p>14       communications with Mr. Baraker in response to</p> <p>15       our document request?</p> <p>16       A. I don't recall that name.</p> <p>17       Q. So if -- so it would be fair to say</p> <p>18       that, based on that, you didn't look for any</p> <p>19       communications with him to the extent that they</p> <p>20       were in your files?</p> <p>21       A. Not that I'm aware of.</p> <p>22       Q. Are you familiar with an entity</p> <p>23       called Fortitude?</p> <p>24       A. The name sounds familiar.</p> <p>25       Q. And what do you recall about the</p>	Page 30	<p>1        A. I don't remember any details of it.</p> <p>2        I just know that Harvard Distributing was one of</p> <p>3        his clients.</p> <p>4        Q. Did SGIT provide a surety bond in</p> <p>5        connection with the -- any transaction for</p> <p>6        Harvard Distributing?</p> <p>7        A. Again, I'm not aware of which ones he</p> <p>8        did. Alan submitted numerous ones and certain</p> <p>9        ones never did happen, never came through.</p> <p>10       Q. Did you explore providing a surety</p> <p>11       bond for a transaction involving Harvard</p> <p>12       Distributing on behalf of SGIT?</p> <p>13       A. I don't understand the question.</p> <p>14       Q. Sure. I mean, did you have</p> <p>15       conversations with Mr. Hanke about SGIT's</p> <p>16       potential to provide a surety bond to Harvard</p> <p>17       Distributing?</p> <p>18       A. Correct.</p> <p>19       Q. And I'm going to ask you the same</p> <p>20       question with respect to Fortitude. Do you</p> <p>21       recall having conversations with Mr. Hanke about</p> <p>22       the potential for SGIT to provide a surety bond</p> <p>23       for a transaction involving Fortitude?</p> <p>24       A. I recall Fortitude's name. I don't</p> <p>25       recall if that was an Alan Hanke bond. If it</p>	Page 32
<p>1        name?</p> <p>2        A. I just remember the name. I don't</p> <p>3        know where it fell under.</p> <p>4        Q. Do you recall having any</p> <p>5        communications with anybody from Fortitude?</p> <p>6        A. I don't recall.</p> <p>7        Q. Did you search your files for</p> <p>8        communications with Fortitude in response to our</p> <p>9        document demands?</p> <p>10       A. If it was with requested, I searched.</p> <p>11       Q. Did you ever have any conversations</p> <p>12       with Mr. Hanke concerning Fortitude?</p> <p>13       A. If that was one of his clients, yes.</p> <p>14       Q. Did you have any conversations with</p> <p>15       Mr. Hanke about Harvard Distributing?</p> <p>16       A. Yes.</p> <p>17       Q. What do you recall about those</p> <p>18       conversations?</p> <p>19       A. I don't --</p> <p>20       Q. Meaning --</p> <p>21       A. -- I just --</p> <p>22       Q. -- meaning -- I'm sorry.</p> <p>23       Just meaning, for the record,</p> <p>24       communications between yourself and Mr. Hanke</p> <p>25       regarding Harvard Distributing?</p>	Page 31	<p>1        was an Alan Hanke transaction, yes, I would have</p> <p>2        then spoke with Alan Hanke.</p> <p>3        Q. And is it also true that you and</p> <p>4        Mr. Hanke had communications involving providing</p> <p>5        a surety bond for a transaction involving SRM?</p> <p>6        A. The name sounds familiar, but I don't</p> <p>7        recall any details of that transaction.</p> <p>8        Q. And you had multiple conversations</p> <p>9        with Mr. Hanke regarding SGIT providing a surety</p> <p>10       bond for Mr. Al Thani, correct?</p> <p>11       A. Not multiple conversations. He would</p> <p>12       submit that he needed a bond and provide the</p> <p>13       backup documentation.</p> <p>14       Q. Let me ask it a different way. Isn't</p> <p>15       it true that you had multiple communications,</p> <p>16       orally and written, about SGIT providing a</p> <p>17       surety bond for a transaction involving</p> <p>18       Mr. Al Thani?</p> <p>19       A. Incorrect.</p> <p>20       Q. Your testimony is you didn't have</p> <p>21       multiple written or oral communications?</p> <p>22       A. Correct. Multiple requires more than</p> <p>23       one, and I'm not aware of more than one bond,</p> <p>24       written or verbal.</p> <p>25       Q. Are you familiar with -- okay. Are</p>	Page 33

<p style="text-align: right;">Page 34</p> <p>1 you familiar with a woman by the name of Tammy  2 Allen?  3 A. Tammy Allen?  4 Q. Yes.  5 A. I don't know that name.  6 Q. Are you familiar with a law firm of  7 the name of HoganWillig?  8 A. HoganWillig?  9 Q. Yes.  10 A. No. Only Hogan Lovells.  11 Q. Not to be confused with my firm but  12 --  13 A. Yeah, I don't know that other --  14 Q. -- are you --  15 A. I don't know that other name.  16 Q. All right. Do you know if SGIT ever  17 did any transactions involving HoganWillig being  18 an escrow agent?  19 A. No. The only escrow agent SGIT had  20 was Mike Casey on the bond fees.  21 Q. Are you familiar with a gentleman by  22 the name of Sidney Mills Rogers?  23 A. Yes.  24 Q. And how do you know Mr. Mills Rogers?  25 A. Alan Hanke informed me he was his</p>	<p style="text-align: right;">Page 36</p> <p>1 Stephens's transaction?  2 A. Correct.  3 Q. And that was a transaction that was  4 sourced by Mr. Hanke?  5 A. Correct.  6 Q. How many transactions did SGIT or GIT  7 do that was sourced by Mr. Hanke?  8 A. He submitted approximately ten and I  9 -- off the top of my head, I'm wanting to say  10 six is what actually were done.  11 Q. Sitting here today, can you name  12 those transactions for me, the six or so?  13 A. I probably can't, I mean. I know  14 there was three that were for Al Thani and the  15 one for Martin Stephens. There is four or five  16 there that he submitted and only one or two of  17 them actually followed through, or that's what  18 he informed me of.  19 Q. Okay. Sitting here today, you don't  20 have a recollection of the names of those people  21 or principals in those transactions?  22 A. I don't. It's been four years. It's  23 been COVID and it's been a complete  24 hysterectomy.  25 Q. I understand.</p>
<p style="text-align: right;">Page 35</p> <p>1 attorney.  2 Q. Did you have communications with  3 Mr. Mills Rogers?  4 A. No.  5 Q. Neither written nor oral?  6 A. No.  7 Q. Did you have any written or oral  8 communications with a woman by the name of Laura  9 Romeo?  10 A. No.  11 Q. And did you have any written or oral  12 communications with a woman by the name of Amy  13 Roy-Haeger?  14 A. No.  15 Q. With respect to GIT, Guaranteed  16 Investment Trust --  17 A. Yes.  18 Q. -- did that operate in the same  19 manner in which SGIT operated, as you've  20 testified today?  21 A. Yes.  22 Q. And how many surety bond deals did  23 GIT do during its existence?  24 A. One, maybe two.  25 Q. And one of those being Mr. Martin</p>	<p style="text-align: right;">Page 37</p> <p>1 A. Glad you do because I don't. I've  2 always been very sharp.  3 Q. Other than -- I think we already  4 talked about the Greco case, the Allnet case;  5 we're here today on two cases. Has SGIT or GIT  6 been sued in any other case involving any surety  7 transaction?  8 A. Yes.  9 Q. Can you name those litigations for  10 me?  11 A. The one that was in West Virginia  12 that I went and was deposed on. And I'm sad to  13 say I can't remember the name of it, but  14 basically it was a large contractor squeezing  15 out a smaller contractor.  16 Q. Any other litigation that you can  17 think of?  18 A. There was one in Hawaii. And that  19 was -- I'm trying to remember the name of that.  20 It's been cleared. There's the one in  21 Las Vegas. There's the Greco. There is a few  22 others that I don't know off the top of my head  23 that actually Larry handled when he was a part  24 of the -- handling everything on the company. I  25 never was made aware until I was told that I had</p>

<p>1 to go to deposition.</p> <p>2 Q. How many times have you been deposed?</p> <p>3 A. I think this is my fourth, I think.</p> <p>4 Q. And those depo -- I know you can't</p> <p>5 remember the names of all the cases, but would</p> <p>6 it be fair to say that the four depositions took</p> <p>7 place in one or more of those cases?</p> <p>8 A. Oh, definitely. All of them have</p> <p>9 been with the surety.</p> <p>10 Q. And we know that you've provided</p> <p>11 testimony in your bankruptcy proceeding pursuant</p> <p>12 to the bankruptcy rules. But have you -- other</p> <p>13 than that testimony or deposition testimony that</p> <p>14 you've mentioned, have you provided testimony in</p> <p>15 any other case or forum?</p> <p>16 A. No.</p> <p>17 Q. Have you ever testified at trial?</p> <p>18 A. No.</p> <p>19 Q. How are you doing in terms of timing?</p> <p>20 Would you like to take a break?</p> <p>21 A. I'm good.</p> <p>22 Q. Okay. Can you explain to me how you</p> <p>23 met Mr. Hanke?</p> <p>24 A. I don't recall how I met him, but I</p> <p>25 know I met him in person in Dallas, Texas.</p>	<p>Page 38</p> <p>1 this document?</p> <p>2 A. Yes.</p> <p>3 Q. Do you recall receiving this email</p> <p>4 from Mr. Hanke?</p> <p>5 A. Yes.</p> <p>6 Q. He says at the top of the email, "I</p> <p>7 cannot tell enough how much of a pleasure it was</p> <p>8 to meet you while I was in Dallas visiting</p> <p>9 Tammy." Do you see that?</p> <p>10 A. Correct.</p> <p>11 Q. And does this refresh your</p> <p>12 recollection as to when the meeting between you</p> <p>13 and Mr. Hanke took place?</p> <p>14 A. Okay. Early '19, I guess, not '18.</p> <p>15 Q. That's fair, you know.</p> <p>16 A. Yes.</p> <p>17 Q. And how did the meeting in Dallas</p> <p>18 come about?</p> <p>19 A. Tammy introduced the two of us</p> <p>20 because she said he was doing something that was</p> <p>21 the same thing that I did.</p> <p>22 Q. And I think I asked you this question</p> <p>23 before, but does this email refresh your</p> <p>24 recollection of who Tammy was?</p> <p>25 A. Yes.</p>
<p>1 Q. Do you remember when that was?</p> <p>2 A. I believe 2018.</p> <p>3 Q. Why don't we pull up a document we</p> <p>4 can refresh your recollection on --</p> <p>5 A. Okay.</p> <p>6 Q. -- perhaps the date of your meeting</p> <p>7 with him.</p> <p>8 (Exhibit No. 1 introduced.)</p> <p>9 Q. (MR. HEFTER) So let's just go --</p> <p>10 let's go to the top. So, Ms. Sims, what I've</p> <p>11 marked as Sims 1, is an email exchange between</p> <p>12 yourself and Mr. Hanke. You can ignore, I</p> <p>13 think, the top part of it.</p> <p>14 A. I'm only seeing the top part.</p> <p>15 Q. Yeah, I know. We're going to scroll</p> <p>16 down to give you an opportunity to look at the</p> <p>17 -- look at the document if you would like. It's</p> <p>18 only a one-page email. So if you would like to</p> <p>19 refresh your recollection, please take the time</p> <p>20 to read the document.</p> <p>21 A. Okay.</p> <p>22 Q. And when you're ready, Peter can</p> <p>23 scroll down for you.</p> <p>24 A. Okay.</p> <p>25 Q. Have you had an opportunity to review</p>	<p>Page 39</p> <p>1 Q. And who is Tammy?</p> <p>2 A. Tammy Border. She's a friend. She</p> <p>3 went with me to Israel with my church.</p> <p>4 Q. So he's a friend of yours, not</p> <p>5 necessarily Mr. Hanke?</p> <p>6 A. I don't know how they're friends.</p> <p>7 Q. Was it your understanding that Tammy</p> <p>8 had known Mr. Hanke prior to this meeting?</p> <p>9 A. Correct.</p> <p>10 Q. And do you know if Mr. Hanke traveled</p> <p>11 to Dallas just to meet you? Or did he have</p> <p>12 other business in Dallas while he was there, as</p> <p>13 far as you remember?</p> <p>14 A. As far as I remember, he had other</p> <p>15 business. This was a very quick, unexpected</p> <p>16 meeting.</p> <p>17 Q. And where did you meet?</p> <p>18 A. It was a hotel in Irving.</p> <p>19 Q. How long did the meeting last?</p> <p>20 A. Less than an hour.</p> <p>21 Q. And what was discussed?</p> <p>22 A. What he did in business and what he</p> <p>23 was looking for.</p> <p>24 Q. What did he tell you he was looking</p> <p>25 for?</p>

<p style="text-align: right;">Page 42</p> <p>1 A. That he was looking for a new surety 2 company.</p> <p>3 Q. And during that meeting, did you talk 4 to him about SGIT or GIT providing those 5 services?</p> <p>6 A. SGIT. GIT was not even a thought at 7 that point in time.</p> <p>8 Q. So is it fair to say that during that 9 discussion, you were discussing SGIT providing 10 those services to deals generated by Mr. Hanke?</p> <p>11 A. Correct.</p> <p>12 Q. He indicates that he -- he says, "I 13 am glad we spent the time together and look 14 forward to an equal amount of business 15 together." Do you see that?</p> <p>16 A. Correct.</p> <p>17 Q. Do you know what Mr. Hanke meant when 18 he said "look forward to an equal amount of 19 business together"?</p> <p>20 A. I do not.</p> <p>21 Q. Did you discuss working together on 22 deals going forward?</p> <p>23 A. He just said that if he needed a -- 24 needed surety, he would contact me.</p> <p>25 Q. And after the bullet points, he say,</p>	<p style="text-align: right;">Page 44</p> <p>1 Mr. Hanke involving a transaction for 2 Mr. Al Thani?</p> <p>3 A. I don't know when the date was that 4 he called and said that he was looking to move 5 forward.</p> <p>6 Q. And SGIT moved forward thereafter?</p> <p>7 A. Correct.</p> <p>8 Q. During that period of time, did you 9 have any communication with Mr. Al Thani or any 10 of his representatives?</p> <p>11 A. I've never had any communications 12 with him. I've only had communication with my 13 attorney.</p> <p>14 Q. Your attorney being Mr. Casey or Mr. 15 (Indiscernible)?</p> <p>16 A. William Slater Vincent, who wrote the 17 trust, who was my attorney in 2013, and 18 continued to be my attorney through 2020, and 19 then took on Mr. Al Thani as a client. And so I 20 don't know what you attorneys call that, but you 21 were playing on both sides of the fence.</p> <p>22 MR. HEFTER: We'll move to 23 strike. Nonresponsive.</p> <p>24 Q. (BY MR. HEFTER) Let's go up to the 25 top of the email. And you see the attachments,</p>
<p style="text-align: right;">Page 43</p> <p>1 "In addition to the above, I would really like 2 to get together and determine the next steps in 3 hopes of you being our surety provider." Do you 4 understand that?</p> <p>5 A. Correct.</p> <p>6 Q. Did SGIT become his surety provider 7 for his transactions?</p> <p>8 A. I don't know if we were the only one, 9 but we did start doing surety together, yes.</p> <p>10 Q. Do you know how long after this 11 meeting occurred did SGIT do its first deal as a 12 surety provider for Mr. Hanke's deals?</p> <p>13 A. I don't recall the date.</p> <p>14 Q. During that meeting, did he discuss 15 any particular client?</p> <p>16 A. No, there was no clients discussed at 17 all.</p> <p>18 Q. And I'll be more specific. During 19 that meeting, did he talk about any potential 20 transaction involving Mr. Al Thani?</p> <p>21 A. None at all.</p> <p>22 Q. When was the first time that you had 23 any conversation with Mr. -- I'll withdraw that.</p> <p>24 When was the first time that you had 25 any communication, orally or written, with</p>	<p style="text-align: right;">Page 45</p> <p>1 Ms. Sims? Those are just file names. Do you 2 see where I'm directing you?</p> <p>3 Ms. Sims, can you hear me?</p> <p>4 A. Can you hear me?</p> <p>5 Q. Now we can.</p> <p>6 A. Okay. I lost their computer so I 7 don't know what it's doing.</p> <p>8 Q. So you can't see the document on the 9 screen at this point?</p> <p>10 A. I can. I can see it on my phone.</p> <p>11 Q. Oh, okay. Okay. That's fine.</p> <p>12 You see where I'm directing you to 13 the attachments?</p> <p>14 A. To the attachments? Yes.</p> <p>15 Q. Okay. And I take it from this email 16 that Mr. Hanke was forwarding you a number of 17 different templates for deals that he had done 18 before. Is that your understanding?</p> <p>19 A. Yes.</p> <p>20 Q. And one of the deals was something 21 for R2 Global Energy. Do you see that? Bala 22 Trading?</p> <p>23 A. Yes.</p> <p>24 Q. Did you or SGIT ever do any 25 transactions with Bala Trading?</p>

12 (Pages 42 - 45)

<p>1       A. No.</p> <p>2       Q. And I'll point you to the top of the</p> <p>3       first attachment. It says, "IOLTA Hogan"?</p> <p>4       A. Oh. Is that you guys?</p> <p>5       Q. No, it's not. It's HoganWillig. And</p> <p>6       my question is: Does that refresh your</p> <p>7       recollection as to whether SGIT had done any</p> <p>8       transactions in which the IOLTA account was with</p> <p>9       the HoganWillig firm?</p> <p>10      A. No, I know nothing about that.</p> <p>11      Q. Okay. But SGIT did do transactions</p> <p>12      involving the IOLTA account of Rogers, correct?</p> <p>13      A. I don't know where or how the funds</p> <p>14      were done with him. I -- that wasn't our</p> <p>15      concern.</p> <p>16      Q. But you're aware that in connection</p> <p>17      with Mr. Al Thani's transaction that the IOLTA</p> <p>18      account formed by Mr. Rogers was used as the</p> <p>19      escrow?</p> <p>20      A. I understand that now, yes.</p> <p>21      Q. That wasn't your understanding at the</p> <p>22      time?</p> <p>23      A. I wasn't aware of how that was being</p> <p>24      done, no.</p> <p>25      Q. If we go to the end of the email, to</p>	Page 46	<p>1       going for, like, an hour and 20</p> <p>2       minutes, so why don't we take a</p> <p>3       break for five or ten minutes and we</p> <p>4       can figure that out and then we can</p> <p>5       get back on the record.</p> <p>6       (Recess 11:32 a.m. to 11:45 a.m.)</p> <p>7       Q. (BY MR. HEFTER) Welcome back,</p> <p>8       Ms. Sims. What I've shown you is several</p> <p>9       screenshots from an account at Metro States</p> <p>10      Capital Bank that I want to ask you a few</p> <p>11      questions about. And I've marked it as Sims 2</p> <p>12      for identification.</p> <p>13      And so, can you describe what this</p> <p>14      document is?</p> <p>15      A. Yes, that's a screenshot of my</p> <p>16      computer.</p> <p>17      Q. Okay. And is it your understanding</p> <p>18      that SGIT had a bank account at a financial</p> <p>19      institution called Metro Bank -- Metro States</p> <p>20      Capital Bank?</p> <p>21      A. Correct.</p> <p>22      Q. Is that account still active?</p> <p>23      A. That bank ain't active.</p> <p>24      Q. Okay. Yeah.</p> <p>25      So is this a bank that Mr. Hanke used</p>	Page 48
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<p style="text-align: right;">Page 50</p> <p>1 Q. And is it correct to say that 2 January 30, 1942, is Ms. Moore's birth date? 3 A. Correct. 4 Q. And would it be -- well, let me ask 5 you this question before getting into the actual 6 bank account. 7 A. Okay. 8 Q. As a general matter, how was SGIT 9 compensated for the services that it provided in 10 providing surety bonds. 11 A. As I explained before, when there is 12 an agent involved, the agent collects the funds 13 from the client. They take their part. And 14 then they filter it down, and the surety is the 15 last person to get the final pay. 16 Q. And was there a particular percentage 17 or the manner in which the fee that you received 18 was calculated? 19 A. There was a set percentage that was 20 paid per surety and all of them are different. 21 There wasn't anything set besides Alan Hanke's. 22 Q. And when you say besides Alan Hanke, 23 what did you mean by that? 24 A. Alan wanted to do a blanket policy. 25 He wanted to pay for X amount of bonds. And</p>	<p style="text-align: right;">Page 52</p> <p>1 fees that SGIT received for doing all of the 2 transactions with Mr. Hanke? 3 A. He did two blanket policies. He did 4 10 million and then he came in behind that and 5 did a 5 million. 6 Q. And would it be fair to say that SGIT 7 received 2.5 percent of \$15 million? 8 A. Correct. 9 Q. And with respect to the 2.5 percent 10 of the \$15 million, was that amount deposited at 11 Metro States Capital Bank? 12 A. No. Metro States never -- never did 13 anything. There was never a transaction done 14 using Metro States. It was a -- when I met 15 Mr. Hanke, he informed me he owned a bank and 16 this was the bank, and the best way for me to 17 vet him was open SubGallagher a bank account. 18 And he did. And I was at least smart enough to 19 screenshot everything, since it's completely 20 disappeared off the Internet. All fees went 21 through Mike Casey's IOLTA account. 22 Q. And is there any money left in Mr. 23 Casey's IOLTA account as a result of the payment 24 of the 2.5 percent? 25 A. No.</p>
<p style="text-align: right;">Page 51</p> <p>1 then, as he asked for them, that's how it went 2 -- they would come out. But he would go ahead 3 and pay up front for a certain amount of bonds 4 on the front end. 5 Q. Was that your agreement with him? 6 A. That's how he wanted to do it so that 7 was the agreement. 8 Q. And when you first developed the 9 relationship with Mr. Hanke, was there a 10 particular amount that he paid up front for a 11 certain amount of bonds? 12 A. His original amount he came in with 13 was he wanted 10 million in bonds. 14 Q. And how much would SGIT get paid for 15 providing \$10 million worth of bonds? 16 A. I believe the number he agreed upon 17 was 2.5. 18 Q. \$2.5 million? 19 A. No. No, no. 2.5 percent. 20 Q. Thank you. 21 And did you receive -- or did SGIT 22 receive the 2.5 percent as proposed by 23 Mr. Hanke? 24 A. Correct. 25 Q. Do you recall the total amount of</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. Where did all that money go? 2 A. Whatever bills SubGallagher had. 3 MR. HEFTER: So let's go to one of 4 the screenshots, Peter, that's part of Sims 2 5 that shows this one. 6 THE WITNESS: Can you make it a 7 little bigger? Thank you. 8 (BY MR. HEFTER) So, can you see it 9 fine, 10 Ms. Sims, at this -- 11 A. Yes. 12 Q. Okay. So, if we look on the 13 left-hand side, it says US dollars available, 14 368,456? 15 A. Yes. 16 Q. See that? 17 A. Correct. 18 Q. And where did that money come from? 19 Do you know? 20 A. That's just something that Alan put 21 in there. As you can see where it says "AJH 22 credit." 23 Q. Yeah. 24 A. He put that in there, then he took it 25 back out, but it was not anything of ours. He</p>

<p style="text-align: right;">Page 54</p> <p>1 was just showing me that it was a live and real 2 account.</p> <p>3 Q. Based on the screenshot, isn't it -- 4 it's correct, though, that that amount of US 5 dollars was in SGIT's bank account at Metro 6 States Capital Bank?</p> <p>7 A. Correct.</p> <p>8 Q. And you are aware that SGIT received 9 funds as a result of the transaction with 10 Mr. Al Thani?</p> <p>11 A. No.</p> <p>12 Q. It's your testimony that SGIT never 13 received any money from the transaction with 14 Mr. Al Thani?</p> <p>15 A. No. The SGIT just wrote a surety on 16 the transaction. It was before anything was 17 ever done.</p> <p>18 Q. And it's correct to say that once 19 Mr. Al Thani had made his investment, that SGIT 20 received a fee for providing the surety bond in 21 connection with the transaction, correct?</p> <p>22 A. I don't know where the fee came from, 23 and I don't know the timing of them putting 24 stuff in and out. I was not privy to that. He 25 bought a blanket policy. I didn't know what</p>	<p style="text-align: right;">Page 56</p> <p>1 any funds directly from the transaction or the 2 proceeds of the transaction with Mr. Al Thani?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. And is your answer the same 5 with respect to Mr. Stephens' transaction?</p> <p>6 A. Correct.</p> <p>7 Q. And now, did -- did GIT have the same 8 financial agreement with Mr. Hanke regarding the 9 payment of fees for transactions that GIT was 10 providing the surety bond for?</p> <p>11 A. No. What happened with GIT, when the 12 trustee resigned from the trust, Alan had 13 already made -- paid for his two blanket 14 policies. He paid them through SubGallagher. 15 But with the trustee not appointing another 16 trustee, the attorneys told me there's no way we 17 could move forward, and Mr. Vincent, my 18 attorney, informed me he would write another 19 trust that would appoint me as trustee. And 20 that's how GIT came about.</p> <p>21 Q. During this period of time, did you 22 have any other source of income?</p> <p>23 A. I continued to do real estate.</p> <p>24 Q. Okay. Did you receive personally any 25 compensation from the transactions that</p>
<p style="text-align: right;">Page 55</p> <p>1 bonds would be paid for using that blanket. And 2 that's where I'm saying from earlier, when you 3 asked me certain names, there are certain names 4 that he asked for bonds, but then came back and 5 said they never transpired.</p> <p>6 Q. But during this period of time, SGIT 7 received fees from transactions that Mr. Hanke 8 was doing?</p> <p>9 A. SGIT doesn't know where the funds 10 came from for the fees that SGIT received. SGIT 11 received a blanket and then when you would get 12 an email stating you needed this bond, that bond 13 would be printed and sent out. And then 14 following that would be a commencement letter 15 stating that the transaction came in and 16 commenced as in process. That's what I 17 understood it to be.</p> <p>18 Q. Okay. So if I'm understanding your 19 testimony correctly, you're testifying that 20 Mr. Hanke, in essence, prepaid at a certain fee 21 to SGIT for the purposes of providing surety 22 bonds for transactions he was working on?</p> <p>23 A. Correct, correct.</p> <p>24 Q. And sitting here today, you don't 25 know one way or another whether SGIT received</p>	<p style="text-align: right;">Page 57</p> <p>1 Mr. Hanke prepaid for?</p> <p>2 A. I've never received funds from any of 3 his transactions. He paid for sureties before 4 these were done. Where he got the funds, I 5 don't know.</p> <p>6 Q. And of the amount -- of the 7 2.5 percent that he paid to SGIT, did you 8 receive any funds from that amount of money?</p> <p>9 A. The trust received all that funds, 10 the two point -- the two and a half percent.</p> <p>11 Q. And of that, did you take home any 12 money out of that -- of those funds?</p> <p>13 A. I'm sure there was some that I did.</p> <p>14 Q. Okay. And have you looked at your 15 bank account statements and provided them to us 16 in response to our document request?</p> <p>17 A. I believe so.</p> <p>18 Q. Did Mr. Casey receive any of the fees 19 -- any portion of the fees that were paid in 20 connection with the 2.5 percent?</p> <p>21 A. Yes.</p> <p>22 Q. Who else received any of those funds?</p> <p>23 A. The trustee if -- if there was 24 something that was needed on her behalf.</p> <p>25 Otherwise, bills within the company would have</p>

<p style="text-align: right;">Page 58</p> <p>1 been paid. At that time it would have been 2 probably more of attorney fees and things like 3 that.</p> <p>4 Q. Other than attorney fees, can you 5 recall any other bill within the company that 6 was paid out of those funds?</p> <p>7 A. I mean, regular stuff like the domain 8 fees or anything like that or paper, whatever 9 was needed.</p> <p>10 Q. Of the money that you received out of 11 the fees that SGIT generated, what happened with 12 those funds?</p> <p>13 A. My personal funds?</p> <p>14 Q. Correct, yeah.</p> <p>15 A. Probably paid gas, water, electric, 16 car.</p> <p>17 Q. Do you know the source of the funds 18 that SGIT received from Mr. Hanke?</p> <p>19 A. I do not.</p> <p>20 Q. You're aware, though, that you 21 received funds through the IOLTA account of 22 Mr. Mills Rogers?</p> <p>23 A. Correct.</p> <p>24 Q. Did you ever have any conversation 25 with Mills Rogers as to what the source of those</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Well, I Googled the bank and I was 2 able to pull up the bank and I was able to log 3 in with the credentials he gave me.</p> <p>4 Q. Did you do any other due diligence?</p> <p>5 A. Anytime I do anything, I Google and 6 see what -- if there is anything out there on 7 anyone. Until recently, you didn't get a whole 8 lot.</p> <p>9 Q. Can you recall anything else that you 10 did in connection with due diligencing the 11 amount of funds in this account?</p> <p>12 A. No, nothing in this account.</p> <p>13 Q. Did you receive any salary from SGIT 14 or GIT for the surety bonds that it was 15 providing?</p> <p>16 A. There wasn't really a salary about 17 it. If there was something left over after 18 paying bills, then I got paid.</p> <p>19 Q. And other than SGIT and GIT, were 20 there any other trusts that you were using to 21 conduct surety business at the time?</p> <p>22 A. No.</p> <p>23 Q. And I may have asked you this 24 question already, but for 2018, do you know how 25 many -- how many -- the amount of funds that you</p>
<p style="text-align: right;">Page 59</p> <p>1 funds were?</p> <p>2 A. No.</p> <p>3 Q. With respect to the Metro States 4 Capital Bank account, did SGIT ever make any 5 withdrawals from that account?</p> <p>6 A. We never had any money to make 7 withdrawals. I never put any money into the 8 account.</p> <p>9 Q. Well, the -- the screenshot, at 10 least, shows there was over \$300,000 in the -- 11 as the available current balance. Did you ever 12 --</p> <p>13 A. That wasn't our money.</p> <p>14 Q. So I -- my question is: Did you ever 15 make any withdrawal from that account?</p> <p>16 A. No.</p> <p>17 Q. And did you have any -- what was Mr. 18 Hanke's purpose of transferring \$368,000 to that 19 account, your account, at Metro States Capital 20 Bank?</p> <p>21 A. I don't know how he came up with the 22 number. He just wanted to prove to me that he 23 had the right to it and that he owned the bank.</p> <p>24 Q. Did you do any due diligence with 25 respect to that request, that statement by him?</p>	<p style="text-align: right;">Page 61</p> <p>1 received personally as a result of the business 2 of SGIT?</p> <p>3 A. I do not recollect.</p> <p>4 Q. Okay. And would you give the same 5 answer with respect to 2019 and 2020?</p> <p>6 A. I don't know. '19 -- yeah, I don't 7 know any of those numbers.</p> <p>8 Q. Was it -- let's take 2019, for 9 example. Do you think that you received over 10 \$100,000 relating to any fees paid to SGIT as a 11 result of any of its transactions?</p> <p>12 A. I don't know.</p> <p>13 Q. And what about 2020, do you know if 14 you received over \$100,000?</p> <p>15 A. No, not at all. The -- the -- like I 16 said, the company was closed. We only had one 17 or two bonds that happened. And the Stephens 18 bond had been paid from prior so there was no 19 money exchanged there.</p> <p>20 Q. When you say the Stephens bond was 21 paid from prior, what do you mean by that?</p> <p>22 A. Alan ordered the second bulk bond, 23 the 5 million, he ordered it prior to 24 SubGallagher shutting down, prior to the trustee 25 resigning. So it was paid into SGIT. When it</p>

<p>1 was ordered, SGIT could not write that bond, and 2 my attorney directed me to do it this way. 3 Q. Can you give me an order of 4 magnitude of how many -- how much money you were 5 generating from your real estate business in 6 2019? 7 A. I don't know. Maybe 50,000. 8 Q. And how did that compare to the 9 amount of money that you had received in 2019 10 from the business of SGIT? 11 A. I don't -- I don't know. 12 Q. Was the agreement between -- sorry. 13 Was the -- 14 (Technical discussion off the record.) 15 Q (BY MR. HEFTER) Was there any 16 document memorializing the agreement between 17 Hanke and SGIT about the payment of the 18 2.5 percent fee? 19 A. I don't believe so. I don't recall. 20 Q. So that was an oral agreement between 21 you and Mr. Hanke? 22 A. Correct. 23 Q. And did you orally agree to that at 24 the meeting in Dallas in early 2019? 25 A. I don't recall if it was agreed there</p>	<p>Page 62</p> <p>1 Q. Do you know whether this was produced 2 in the documents that you provided to us? 3 A. I don't recall that one. 4 Q. So you have no recollection of ever 5 seeing this photograph that I've marked as Sims 6 3? 7 A. It's not ringing a bell. 8 Q. Okay. Let's turn our attention now 9 to some of the text exchanges that you've had 10 with Mr. Hanke. 11 (Exhibit No. 4 introduced.) 12 Q (BY MR. HEFTER) I've marked as Sims 13 4 a table that reflects text messages between 14 Alan Hanke and Ms. Sims. And have you seen this 15 document before, Ms. Sims? 16 A. Yes. 17 Q. Did you compile the chart and table 18 after going through your phones? 19 A. I did not. I had it done. 20 Q. And who did that for you? 21 A. It's a program that's very old that 22 you can't get anymore, but I had that on my 23 phone. 24 Q. Okay. 25 A. It's a very nice document. I think</p>
<p>1 or not. 2 Q. Do you recall whether it was over the 3 phone or in person? 4 A. I only met him the one time in 5 Dallas, so it had to have been over the phone. 6 Q. Let's turn our attention to a 7 document that you've produced. 8 MR. HEFTER: Peter, if we can have 9 the document of the table full of cash. 10 A. Did you guys send me this book? 11 Q. (BY MR. HEFTER) What book? 12 A. That you're using. 13 Q. Those are my preparation materials. 14 A. Oh, okay. In the past at 15 depositions, they've provided all of us with a 16 book so we all had the same thing. Only reason 17 I ask. 18 Q. I figured as much. 19 (Exhibit No. 3 introduced.) 20 Q (BY MR. HEFTER) Let me mark as Sims 21 3 a document which is a -- looks like a picture 22 of a table full of cash. Have you seen this 23 document before, Ms. Sims? 24 A. I don't recollect that document at 25 all.</p>	<p>Page 63</p> <p>1 you guys ought to appreciate my texts very much. 2 Q. The texts tell a lot. 3 A. That's what I'm telling you. They 4 tell you everything. 5 Q. So, just so the record is clear, what 6 I've shown Ms. Sims is a chart that we now know 7 that she or somebody with the help of a computer 8 program prepared. And on the left-hand column, 9 for the record, is a number which corresponds to 10 a particular text, and it shows contact, time of 11 the text received and sent. 12 Ms. Sims, just as a foundational 13 question, does the -- the sent column is you, 14 correct? 15 A. I don't -- can you go up some? I'm 16 not -- that doesn't look like my text, but can 17 you go up -- move up some? 18 MR. HEFTER: Yeah, Peter, show the 19 witness as much as she needs to answer that 20 question. 21 MR. BAUTZ: So this is the 22 top of the document. Do you want me 23 to scroll down a little bit so you 24 can see some more text messages and 25 see if that looks like you?</p>

<p>1        THE WITNESS: Yes, please.  2        Yes, please.  3        MR. BAUTZ: Okay. I'll scroll  4        down.  5        A. Okay. So I guess I would be on the  6        right.  7        Q (BY MR. HEFTER) Okay. And then the  8        received is Mr. Hanke. Did you search -- now,  9        my understanding is that you've provided to us  10      in table form a list of your texts with  11      Mr. Hanke on your business phone and your  12      personal phone; is that correct?  13      A. Correct.  14      Q. And did you search your phone for any  15      texts with respect to any other person who was  16      involved in the Al Thani or Stephens  17      transactions?  18      A. I wouldn't have had anyone else  19      involved. I only spoke to Alan.  20      Q. And is it your testimony that you did  21      not speak with Mr. Casey with respect to the  22      Al Thani or Stephens transactions?  23      A. No.  24      Q. And your testimony is that the only  25      person that you text with with respect to the</p>	Page 66	<p>1        Q. Yeah. I'm okay with that.  2        A. I just have to find a picture from  3        that time, and then I can tell you.  4        Okay. We were in Carnegie Hall  5        November 15th, 2019.  6        Q. Okay. Thank you.  7        Going back to that text, it says "the  8        guys are ready to move." Do you know who you  9        were referring to when you said "the guys"?  10      A. I do not.  11      Q. Was that a transaction that you were  12      proposing to Mr. Hanke?  13      A. No. It would have been something to  14      do -- he asked for various different things with  15      other things that he did. So I'm sure he asked  16      for something, and I was trying to put him with  17      whoever he needed to talk with.  18      Q. And do you recall who those persons  19      were that you were trying to put him in contact  20      with?  21      A. I do not because I don't remember  22      what transaction this was. He would off the  23      wall come up with various stuff.  24      Q. So let's go down to the text a little  25      bit later in the day, No. 5. It says -- you say</p>	Page 68
<p>1        Al Thani and Stephens transactions was  2        Mr. Hanke?  3        A. Correct.  4        Q. So let's go to the first one. You  5        say to Mr. Hanke, on November 11th in Text  6        No. 1, it says, "Please call me ASAP. I am  7        getting ready to get on a plane and the guys are  8        ready to move forward but have some questions."  9        Do you see that?  10      A. Correct.  11      Q. Okay. Do you recall what that text  12      related to?  13      A. I do not.  14      Q. Okay. When it says you're ready to  15      get on a plane, do you recall traveling on or  16      around November 11th, 2019?  17      A. I don't remember it but if it says  18      it, I'm sure I did.  19      Q. Have you ever traveled to New York?  20      A. Yes. I -- my church got offered to  21      sing in Carnegie Hall, and I went there to  22      support them. We were there three days, I  23      believe.  24      Q. And when was that?  25      A. Can I look at my phone?</p>	Page 67	<p>1        to him, on November 11th at 12:31 p.m., "Hey on  2        gold, top 3 cripto or silver if they use this as  3        down for you mobilize it and it is gone or in  4        safe keeping so it can be returned??" Do you  5        see that?  6        A. Yes. He was wanting to -- that's --  7        he was wanting to either buy or sell gold is  8        what that was. So more than likely, the person  9        that I was enter -- or trying to get him  10      connected with was Max Barber, because Max  11      Barber was the one that does gold. And if you  12      read in No. 6, he says, "I can monetize gold or  13      silver with their SKR if from top bank." So he  14      was the one -- they had the gold. He was the  15      one that was receiving it, or monetizing it.  16      Q. And you were aware of Mr. Barber from  17      your deal with Mr. Greco?  18      A. Correct.  19      Q. All right. And you introduced  20      Mr. Barber to Mr. Hanke?  21      A. I don't know if they ever got  22      introduced because I don't think -- whichever  23      side fell through and never produced anything  24      that could move forward.  25      Q. Is it fair to say, then, that</p>	Page 69

<p style="text-align: right;">Page 70</p> <p>1 Mr. Hanke had the idea of doing a gold 2 transaction. You knew Mr. Barber and attempted 3 to connect the two of them?</p> <p>4 A. I just told him that's the only 5 person I knew of that did any type of gold.</p> <p>6 Q. Go to No. 9. Yeah. You indicate to 7 him a little bit later in the day, at 1:46 p.m., 8 you say, "Bitcoin or other top 3 what is that 9 process."</p> <p>10 A. Somebody's come back and asked a 11 question and I just asked it to him.</p> <p>12 Q. Yeah. And who was that?</p> <p>13 A. I don't know. I have no idea.</p> <p>14 Q. During that point in time, were you 15 in discussions with anybody --</p> <p>16 A. It could have been Max Barber. I 17 don't know.</p> <p>18 Q. During that period of time, were you 19 in the process of talking to people about 20 potential Bitcoin or other cryptocurrency 21 transactions?</p> <p>22 A. No. I know absolutely nothing about 23 crypto. It's, again, on a computer, and I am 24 not computer literate enough to keep that one 25 going.</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. And then at 12:59, after Mr. Hanke 2 says, "I'm looking for some loan docs now," in 3 the next text you say to him -- you propose to 4 him just changing your doc to read lending 5 deposit agreement and we can get loan docs 6 later. Do you see that?</p> <p>7 A. Uh-huh. I have no idea.</p> <p>8 Q. And then you say, "Are you ready for 9 the call?" at 1:00 p.m. Do you recall on 10 November 13th having a call at 1:00 p.m. with 11 somebody about a lending transaction?</p> <p>12 A. I do not.</p> <p>13 Q. And then on No. 17, you say, "Can you 14 lend/leverage someone else's sblc from top 15 bank." Does that refresh your --</p> <p>16 A. I don't know. No, somebody has 17 asked. I 18 don't -- I don't know. Because he owns a bank, 19 it would be the reason I would ask this.</p> <p>20 Q. And who are you asking on behalf of?</p> <p>21 A. I have no clue.</p> <p>22 Q. Were you talking to anybody about 23 doing a potential leverage transaction using an 24 SBLC?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. You indicate on No. 11, on the same 2 day, "Please email application if you have one 3 my people have six immediate file to bring to 4 the table." What did you mean by that?</p> <p>5 A. I'm assuming it's with whatever this 6 Bitcoin thing was, that they had six different 7 files, meaning six different cryptos, I guess.</p> <p>8 Q. Let's go to No. 13. You indicate on 9 November 13th at 10:22, you say, "Can you send 10 me blank agreement for his review before the 11 call. Remember they are doing this as a loan so 12 we need to address before the call." Do you see 13 that?</p> <p>14 A. Yes.</p> <p>15 Q. And what were you referring to at 16 that point about those people working on a loan?</p> <p>17 A. I don't know because I don't recall 18 this at all. This -- any of this transaction, I 19 don't recall.</p> <p>20 Q. Okay. And it says, "Can you send me 21 blank agreement for his review before the call." 22 Do you know who you were going to be talking to 23 about this particular loan transaction?</p> <p>24 A. I can't recall this transaction so I 25 have no idea.</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. Have you ever done an SBLC 2 transaction before?</p> <p>3 A. No.</p> <p>4 Q. In No. 19, you indicate, "Please call 5 me," and then it says, "Sherry, talk to me. 6 I've got things to advance but need info first. 7 What can we do to get things rolling?" It looks 8 like that particular text may have come from him 9 and not from you, even though it's on that 10 column. Does that seem right?</p> <p>11 A. I don't know.</p> <p>12 Q. So Mr. Hanke indicates at 3:27 p.m. 13 on November 19th, it says, "Please address to 14 DiMora Enterprises, LLC." Does that refresh 15 your recollection as to the transaction that you 16 were talking about at that point?</p> <p>17 A. No idea. I've never heard of DiMora 18 Enterprises.</p> <p>19 Q. And then November 19th at 3:28, he 20 says, "location to follow. 25b in Dubai 21 afterwards. Same owners." Does that ring a 22 bell as to what you were talking about?</p> <p>23 A. He had something in Dubai and -- and 24 the one next to, in Ghana, that he was -- he was 25 -- he was in cannabis business.</p>

<p>1       Q. Flesh that out for me. Who was in 2 the cannabis business?</p> <p>3       A. Alan.</p> <p>4       Q. And this particular text refreshes 5 your recollection that what he was describing at 6 that point was a cannabis business?</p> <p>7       A. Yeah. 25b is money that he -- in -- 8 that's sitting in Dubai. And then he has 400 9 million in Ghana. And then it says up to 4b, 10 which is half.</p> <p>11      Q. And so what's your recollection of 12 your involvement in these transactions at the 13 time?</p> <p>14      A. He would call and ask various 15 different things, if I knew people that could do 16 various things, just like with the gold, and I 17 -- you know, I didn't have anything on that.</p> <p>18      Q. You indicate this -- November 20th at 19 3:55 it says, "Does TRay Howard have email 20 address and phone number?" Do you see that?</p> <p>21      A. Yeah, and I don't even recollect T. 22 Ray Howard.</p> <p>23      Q. Okay. So you have no recollection of 24 who T. Ray Howard was?</p> <p>25      A. No.</p>	Page 74	<p>1       Q. Uh-huh.</p> <p>2       A. Alan did.</p> <p>3       Q. Got it. And so, that text, is it 4 fair to say that you were copying and pasting a 5 text that you had received from Jeff and sending 6 it to Mr. Hanke on that date?</p> <p>7       A. I guess, but I don't know who Jeff 8 is.</p> <p>9       Q. Okay. Well, that was my next 10 question. Do you have any idea who Jeff is?</p> <p>11      A. I do not.</p> <p>12      Q. But Mr. -- but Mr. Jeff here is 13 asking you or Alan to send an overview email 14 listing three to four profiling deals example. 15 Do you see that?</p> <p>16      A. Correct.</p> <p>17      Q. Okay. And did you have a discussion 18 with Mr. Hanke about putting together that 19 information for Jeff?</p> <p>20      A. I don't recall.</p> <p>21      Q. And do you recall anything about 22 working on a transaction relating to a cannabis 23 business in Colorado in or around December 12th 24 with Mr. Hanke?</p> <p>25      A. I -- I mean, again, Alan had all</p>	Page 76
<p>1       Q. Do you have any recollection of ever 2 having a conversation with T. Ray Howard?</p> <p>3       A. No.</p> <p>4       Q. Let's go to December 12th, No. 28. 5 Well, let's go back up to 27 first. 6        27, do you see that, Ms. Sims?</p> <p>7       A. Uh-huh.</p> <p>8       Q. December 3rd at 3:53, 2019, it says, 9 "Please call me," with an exclamation point.</p> <p>10      A. Correct.</p> <p>11      Q. Do you recall reaching out to 12 Mr. Hanke to ask for a telephone call on that 13 day?</p> <p>14      A. On that day, I have no idea.</p> <p>15      Q. And the next text exchange is 16 December 12th, so there is a nine-day period. 17 Do you recall having any conversations with Mr. 18 Hanke between December 3rd and December 12th, 19 2019?</p> <p>20      A. I do not. I don't.</p> <p>21      Q. Okay. Now, the --</p> <p>22      A. But that -- in 28, see, that's where 23 it says "6 dispensaries in Colorado." Like I 24 said, he was -- he had something to do with -- 25 with cannabis.</p>	Page 75	<p>1       kinds of things working. I don't remember. I 2 don't recollect this at all.</p> <p>3       Q. Okay. Let's go to No. 31. Am I 4 correct that this entry shows that you were 5 cutting and pasting something -- a text from 6 Jeff and sending it to Mr. Hanke?</p> <p>7       A. Okay. I -- I guess. I don't -- like 8 I said, I don't recollect this call at all.</p> <p>9       Q. So a little bit later down the -- 10 stay there, Peter -- but it says, in this text, 11 "Wouldn't the escrow and bond process take a 12 little time," question mark. Do you recall 13 being involved with Mr. Hanke about a bond 14 relating to Mr. Jeff's transaction in the 15 cannabis world?</p> <p>16      A. No, not at all.</p> <p>17      Q. Now, December 13th, No. 32, the next 18 one, you indicate to Mr. Hanke, it says, "Call 19 me." Do you see that?</p> <p>20      A. Right.</p> <p>21      Q. Right. And then it says have \$100+ 22 million potential real estate situation with a 23 borrower that will have somebody post a fresh 24 issued sblc from Barclays London." Do you 25 recall having any discussions with Mr. Hanke</p>	Page 77

<p style="text-align: right;">Page 78</p> <p>1 about a potential \$100 million real estate 2 situation involving an SBLC from Barclays 3 London?</p> <p>4 A. I do not.</p> <p>5 Q. Do you know what an SBLC is?</p> <p>6 A. Standby letter of credit.</p> <p>7 Q. Did SGIT ever do any SBLC 8 transactions?</p> <p>9 A. No.</p> <p>10 Q. Did GIT?</p> <p>11 A. No.</p> <p>12 Q. Did you personally, through any other 13 corporate vehicle, do any SBLC transactions with 14 Mr. Hanke?</p> <p>15 A. No.</p> <p>16 Q. Do you recall --</p> <p>17 A. Nothing was ever done -- nothing was 18 ever done with Mr. Hanke except his bonds.</p> <p>19 Q. In No. 33, you say, "Please please 20 call me very very important!!" Do you recall 21 what the urgency was to talk to Mr. Hanke on 22 that day?</p> <p>23 A. No idea.</p> <p>24 Q. And then he responds to that four 25 minutes later at 7:28 p.m. on December 13th, he</p>	<p style="text-align: right;">Page 80</p> <p>1 trying to do cannabis-wise is what I'm 2 understanding from what he's saying.</p> <p>3 Q. And then you -- you -- on 4 February 7th, you say, "Please call," question 5 mark, question mark [sic], and then -- I mean 6 exclamation point, exclamation point, excuse me. 7 And then on -- at short time after, within the 8 hour, you say, "Having a call with the cash guys 9 do you want to be a part of it or not???"</p> <p>10 A. That was more of his cannabis stuff.</p> <p>11 Q. But you were having a call with the 12 cash guys, right?</p> <p>13 A. Correct.</p> <p>14 Q. Do you know if he was part of that 15 conversation?</p> <p>16 A. I don't know.</p> <p>17 Q. Okay. And who were the cash guys?</p> <p>18 A. I don't know which time this was.</p> <p>19 Q. Well, the text messages on 20 February 7th, does that refresh your 21 recollection of who might the cash guys be?</p> <p>22 A. No.</p> <p>23 Q. Did you have calls with various 24 businesspeople concerning Mr. Hanke's 25 transactions without him, when he was not on the</p>
<p style="text-align: right;">Page 79</p> <p>1 says, "Ok. Just landed. Need few." And you 2 respond, "Please call me we have issues." Do 3 you know what you were referring to when it said 4 "we have issues"?</p> <p>5 A. I don't. But I mean, I would guess 6 that something came in that's not -- on one of 7 his bonds, and I would immediately want to speak 8 to him.</p> <p>9 Q. Let's go to No. 43. On January 16, 10 2020, you ask him, "Just got this can you please 11 answer. Good afternoon. A few questions:" And 12 then it goes into several details about a 13 transaction. Do you recall working with 14 Mr. Hanke on a transaction involving Kenya 15 clients, Willy and Ibrahim?</p> <p>16 A. No.</p> <p>17 Q. And then it says -- it says "Just got 18 this." Do you recall who you received that 19 from?</p> <p>20 A. I do not.</p> <p>21 Q. Go to 44. He says, "Hi Sherry," and 22 then he -- "The client is Willy Bonga." Does 23 the name Willy Bonga refresh your --</p> <p>24 A. Doesn't recollect, nothing 25 whatsoever. This is just more of what he was</p>	<p style="text-align: right;">Page 81</p> <p>1 call?</p> <p>2 A. No. I would just refer him over and 3 they would talk. If he asks for something and I 4 had somebody, just like the Max Barber, I would 5 just give him that and they would go forward.</p> <p>6 Q. But on February 7th, you had a call 7 with the cash guys about some transaction 8 involving Mr. Hanke, right?</p> <p>9 A. Correct, but read the one before. It 10 says, "Please please call me." That means Alan 11 did his typical thing and didn't get back with 12 people, and so they're going to come back to 13 whoever referred it and see -- have a call.</p> <p>14 Q. And it fell on you to have that 15 conversation?</p> <p>16 A. I'd just tell him, He ain't got back 17 with me. Wait until he does. If he does, he 18 gets with you. If he doesn't, he doesn't. 19 Write him off.</p> <p>20 Q. So on 48 on February 7th, you say, 21 "Oh wow so did funds hit and did other" --</p> <p>22 A. I can't see it. Can they move it up?</p> <p>23 Q. Sure. Yeah, for sure.</p> <p>24 A. Okay. Thank you.</p> <p>25 Q. Here, you're having a text exchange</p>

<p style="text-align: right;">Page 82</p> <p>1 about funds hitting bank accounts, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And did you know -- sitting here</p> <p>4 today, do you have a recollection of what funds</p> <p>5 you were talking about when you said, "Oh wow so</p> <p>6 did funds hit and did other funds clear???"</p> <p>7 A. It had to be done with one of his</p> <p>8 transactions.</p> <p>9 Q. So on 54, you say, "So did 7m come</p> <p>10 back and what about shek wire???" Do you see</p> <p>11 that?</p> <p>12 A. Right.</p> <p>13 Q. Is that --</p> <p>14 A. That would have been when -- that</p> <p>15 would have been in reference to a call with</p> <p>16 William.</p> <p>17 Q. Okay. And the "shek" there is really</p> <p>18 a reference to the sheikh; is that right?</p> <p>19 A. Correct.</p> <p>20 Q. And you were inquiring of Mr. Hanke</p> <p>21 of the whereabouts of the sheikh's wire</p> <p>22 transfer?</p> <p>23 A. Yes, because William had called and</p> <p>24 asked in regards to it.</p> <p>25 Q. So let's go to 58. On February 10th,</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. And then on No. 70, you're asking</p> <p>2 Mr. Hanke here, am I correct, that --</p> <p>3 A. Correct.</p> <p>4 Q. -- for an update because you could</p> <p>5 really use some good news today?</p> <p>6 A. Correct.</p> <p>7 Q. Do you remember --</p> <p>8 A. That's just badgering of him again to</p> <p>9 get me something on an update of where</p> <p>10 everything is at because I'm sure William had</p> <p>11 called that day.</p> <p>12 Q. So on No. 72, you say, "Hey," to</p> <p>13 Mr. Hanke on February 11th in the evening, 9:49</p> <p>14 p.m., "Hey my guys just called your guy is over</p> <p>15 there and getting ready to do the video and</p> <p>16 hopefully can start mid week." What were you</p> <p>17 talking about there?</p> <p>18 A. That don't even make sense -- that</p> <p>19 doesn't make sense at all. I mean, it almost</p> <p>20 seems like that text is on the wrong side.</p> <p>21 Q. Do you have a recollection of saying</p> <p>22 that to Mr. Hanke?</p> <p>23 A. No, not at all.</p> <p>24 Q. Do you ever -- during this time</p> <p>25 frame, do you ever recall traveling to the</p>
<p style="text-align: right;">Page 83</p> <p>1 you indicate, quote, Email me specifics on 3.1</p> <p>2 and 500 million so I can get you best pricing.</p> <p>3 Do you know what that refers to?</p> <p>4 A. I think it refers to William had</p> <p>5 something that he was dealing with that he would</p> <p>6 be able to leverage people's funds, and that's</p> <p>7 all I can guess that that's what it's about.</p> <p>8 Q. Do you have any other recollection</p> <p>9 besides your --</p> <p>10 A. No.</p> <p>11 Q. -- guess?</p> <p>12 A. No.</p> <p>13 Q. So on No. 65, you ask Mr. Hanke, "Is</p> <p>14 QNB finansbank, which you can read about in the</p> <p>15 attached link, a bank you can receive an SBL</p> <p>16 from for a loan deposit?" What's your</p> <p>17 recollection of a transaction with QNB</p> <p>18 Finansbank?</p> <p>19 A. I believe that was something from</p> <p>20 Max.</p> <p>21 Q. And do you remember what Max -- and</p> <p>22 that's Max Barber, right? Do you know what --</p> <p>23 A. Correct.</p> <p>24 Q. -- Max Barber was proposing there?</p> <p>25 A. No idea.</p>	<p style="text-align: right;">Page 85</p> <p>1 West Coast?</p> <p>2 A. To the West Coast?</p> <p>3 Q. Yeah. On business.</p> <p>4 A. I don't know if I had traveled. The</p> <p>5 furthest I've gone west is Vegas. So the only</p> <p>6 thing, if I was in -- can you go up a little</p> <p>7 bit?</p> <p>8 Q. Sure.</p> <p>9 A. Okay. A little bit more. Little</p> <p>10 further. Because there was someone here --</p> <p>11 somewhere here where it says that I was getting</p> <p>12 ready to go back into court. The only thing I</p> <p>13 could see is that it was -- that I was on the</p> <p>14 West Coast with Jackie -- I mean, the Allnet</p> <p>15 situation.</p> <p>16 Q. Okay.</p> <p>17 A. I seen it somewhere in there. It had</p> <p>18 something, I'm getting ready to walk in, but I</p> <p>19 don't see it now.</p> <p>20 MR. BAUTZ: I think it may</p> <p>21 be Line 66, "In hearing can you</p> <p>22 please -- or can you reply please."</p> <p>23 A. Oh, there we go, "In hearing can you</p> <p>24 reply please," yeah, that -- that may be it</p> <p>25 right there.</p>

22 (Pages 82 - 85)

<p>1 Q (BY MR. HEFTER) That's your 2 recollection that that was a reference to a 3 hearing in the Allnet case?</p> <p>4 A. I don't know. I'm just saying it -- 5 you're asking west. The furthest west I've ever 6 been is Vegas --</p> <p>7 Q. Got it. The reason why I ask -- 8 A. With the -- with the surety.</p> <p>9 Q. Let's go down to 77.</p> <p>10 A. 77. We have a bond that we did for a 11 lady who that -- it's a California cannabis 12 license. And they defaulted on the bond and my 13 attorneys had said we could take the license, do 14 the license. Well, again, I know nothing about 15 the cannabis side of it so I was asking him 16 about that.</p> <p>17 Q. So that was a case where you were not 18 the obligor on the bond. You were the -- you 19 were seeking to enforce a bond against this 20 person in California?</p> <p>21 A. Yes.</p> <p>22 Q. Did SGIT have other transactions like 23 that, where it was not the surety but it -- that 24 it had -- it received or held bonds as 25 collateral from other obligations?</p>	Page 86	<p>1 Hanke says, at 1:51 p.m., "With Sheikh guys. 2 Gonna be a bit. Will call soon as I can." Do 3 you recall having any conversations about that 4 particular meeting?</p> <p>5 A. No, he had just told me that he was 6 meeting with them.</p> <p>7 Q. And do you know where that meeting 8 took place?</p> <p>9 A. I don't -- there's various meetings.</p> <p>10 I don't know. Because I know there was a 11 meeting in Chicago, and there was a meeting in 12 New York. I don't know which meeting this is.</p> <p>13 Q. Fair enough. Let me ask you another 14 foundational question here because all these 15 texts say Alan J. Hanke Illinois from Tammy B?</p> <p>16 A. Yep.</p> <p>17 Q. Was Tammy the person who sort of 18 compiled this table and used that software 19 product?</p> <p>20 A. No. Tammy is who introduced me to 21 Alan.</p> <p>22 Q. Oh, fair enough. But you had 23 indicated that she was a friend of yours?</p> <p>24 A. Correct.</p> <p>25 Q. Why are these texts saying Alan J.</p>	Page 88
<p>1 A. No. We were the surety on this bond.</p> <p>2 Q. And was that a transaction that 3 involved Hanke, or were you just asking him a 4 question?</p> <p>5 A. No, just asking a question. We were 6 never anything on bonds except the surety. And 7 this one -- this specific one, I'm wanting to 8 say Larry had done it and it had defaulted. And 9 I didn't know anything about it, and Mike was 10 asking me about licensing and everything. And I 11 told him the only person I know that knows 12 anything on cannabis would be Alan Hanke.</p> <p>13 Q. Got it. Go to 83. You attach a 14 website or a URL of www.bancoprovinciam.com.ar?</p> <p>15 A. Right.</p> <p>16 Q. Does that refresh your recollection 17 of doing a transaction involving this particular 18 bank?</p> <p>19 A. No, that -- that's where CGE had 20 asked about an SBLC from a bank, and I didn't 21 know if Alan's bank could do something like 22 that.</p> <p>23 Q. And that led to your sending No. 84?</p> <p>24 A. Correct.</p> <p>25 Q. We'll go to 91. On February 19,</p>	Page 87	<p>1 Hanke Illinois from Tammy B?</p> <p>2 A. Alan J. Hanke, he lives in Illinois, 3 and he's from Tammy B. That's how I met him.</p> <p>4 Q. Okay. Got it.</p> <p>5 A. So if he's in my phone and 15 years 6 later, and I don't have a clue what his name -- 7 what it was about, I know where it came from.</p> <p>8 Q. Let's go to 122. And I'll ask you to 9 maybe read a few of the texts before 122 and 10 then after, just to give you a...</p> <p>11 Let me know when you've done that.</p> <p>12 A. Okay.</p> <p>13 Q. And then on February 24th, 2020, you 14 indicate, "Is there a % you have in mind for the 15 4 of us." Do you see that?</p> <p>16 A. Correct.</p> <p>17 Q. Do you have a recollection of what 18 you were talking about there?</p> <p>19 A. It had something to do with a 20 cannabis deal, because if you do down and read 21 124, it says, Is this the cultivation or 22 dispensary side.</p> <p>23 Q. And were you expecting some 24 percentage of profit or fee as a result of the 25 transaction?</p>	Page 89

<p>1 A. If I refer something, I would.  2 Q. If we go to 134 to 138.  3 A. Okay.  4 Q. So is it fair to say that in 135, you  5 were asking whether you could change the name of  6 the account in Metro States Capital Bank?  7 A. Correct.  8 Q. And that you then -- he said yes, and  9 then you provided your personal name and the PO  10 Box for SGIT?  11 A. Correct.  12 Q. Go to 168. Back to Mr. Jeff here, at  13 February 29th, correct me if I'm wrong, but it  14 looks like you are cutting and pasting a text  15 that you received from Jeff and sending it no  16 Mr. Hanke. Is that correct?  17 A. Yes.  18 Q. And Jeff is saying, Good call  19 yesterday, thanks. If you can help get the sblc  20 language for latam bank, and the revised draw  21 schedule for Corp. deal. Thx!" Do you see  22 that?  23 A. Yes.  24 Q. Does that refresh your recollection  25 of the transaction you were working on with</p>	Page 90	<p>1 A. A demand to something that has  2 nothing?  3 Q. I'm asking you whether you made a  4 demand.  5 A. No. I made a verbal to him telling  6 him he was supposed to. He assured me  7 everything was good and he was taking care of  8 it.  9 Q. Okay. But he never conformed to his  10 promise?  11 A. No. That's when I started letting  12 the attorneys listen to his phone calls.  13 Q. Let's go back to the business phone  14 texts, and let's go to 276. Do you see that?  15 Do you see that you asked him, "Do you have any  16 commercial real estate deals between 5-10m that  17 have stalled possible lenders asking we can do?"  18 A. Correct.  19 Q. And what did that refer to?  20 A. Me going back to doing real estate  21 again.  22 Q. And so between 2018 and 2020, would  23 it be fair to say that you were not doing any  24 real estate transactions?  25 A. No, I was. But this here, when this</p>	Page 92
<p>1 Jeff?  2 A. It doesn't but I'm sure it replies --  3 it stems around something Alan had that was a  4 cannabis transaction.  5 MR. HEFTER: Why don't we  6 take a break.  7 (Recess 12:55 p.m. to 1:17 p.m.)  8 Q (BY MR. HEFTER) Ms. Sims, I want to  9 continue to go through some of your texts, not  10 all of them, but some of them. But before I get  11 there, I have a question for you about this  12 particular litigation. At any point in time was  13 Alan Hanke paying your legal fees for the  14 defense of this action prior to your counsel's  15 withdraw?  16 A. No.  17 Q. Did you ever ask him to pay your  18 legal fees?  19 A. No.  20 Q. Did you ever have an agreement that  21 in the event there was litigation involving his  22 transactions that he would pay your legal fees?  23 A. His GIA he signed says he would.  24 Q. And did you make a demand under the  25 GIA for him to pay your fees?</p>	Page 91	<p>1 came up, I wanted to see what he had. I needed  2 to see what he was working with.  3 Q. Okay. And you were looking to do  4 commercial real estate deals between 5 and  5 10 million dollars?  6 A. No, I just pulled that out of the air  7 to find out what he had.  8 Q. Okay. Well, putting aside the actual  9 figure, size of the deal, you were looking at  10 that point to discuss with him potential real  11 estate deals?  12 A. It was a question to see what he had.  13 If he would come back and say, Yes, I have a  14 house in Chicago worth 5 million, I don't owe on  15 it. It was a question. I was being fed through  16 my attorney to ask questions.  17 Q. Which attorney?  18 A. William Slater Vincent.  19 Q. And what did you mean when saying  20 "possible lenders asking we can do"?  21 A. It's just a way of asking if he has  22 anything available.  23 Q. And at that point in time, you were  24 looking to do real estate transactions?  25 A. No. I was looking to find out what</p>	Page 93

<p>1 Alan Hanke had.</p> <p>2 Q. Okay. Putting aside this text,</p> <p>3 between 2018 and 2020, were you still in the</p> <p>4 business of doing real estate transactions?</p> <p>5 A. I would pick up one here or there or</p> <p>6 assist somebody with it.</p> <p>7 Q. Were you getting any fees for those</p> <p>8 services?</p> <p>9 A. Not unless I closed -- I mean, I did</p> <p>10 one on my own. I don't remember closing one</p> <p>11 besides my own personal home.</p> <p>12 Q. Okay. And how many closings on your</p> <p>13 own personal home did occur between 2018 and</p> <p>14 2020?</p> <p>15 A. I bought and sold a home and bought</p> <p>16 another home.</p> <p>17 Q. Did you do any transactions for third</p> <p>18 parties during that period of time?</p> <p>19 A. I don't recollect.</p> <p>20 Q. Let's go to 337. You see you refer</p> <p>21 to a Vietnam deal?</p> <p>22 A. Correct. That was a cannabis deal he</p> <p>23 had.</p> <p>24 Q. And you're asking him, I need to know</p> <p>25 if you're still interested or not. Please call</p>	Page 94	<p>1 cannabis. It was COVID related. Because Alan</p> <p>2 started doing PP -- PPP, or something like that,</p> <p>3 transactions and needed people -- he was doing</p> <p>4 gloves and gowns, I think.</p> <p>5 Q. And what was your role in connection</p> <p>6 with that transaction?</p> <p>7 A. He had asked for something. I don't</p> <p>8 know what it was at the time. But it had</p> <p>9 something to do with him providing -- he had</p> <p>10 somebody who needed gowns or gloves or was</p> <p>11 furnishing them.</p> <p>12 Q. And you would have proceeded to put</p> <p>13 those two parties together?</p> <p>14 A. If he called and asked for it. He</p> <p>15 asked if I knew anybody, just like he did with</p> <p>16 the gold.</p> <p>17 Q. And do you remember the name of the</p> <p>18 people -- names of the people in Vietnam at this</p> <p>19 point?</p> <p>20 A. No idea.</p> <p>21 Q. Okay. Let's go to -- let's mark Sims</p> <p>22 Exhibit 5, the log of texts between Alan Hanke</p> <p>23 and</p> <p>24 Ms. Sims on her personal phone.</p> <p>25 (Exhibit No. 5 introduced.)</p>	Page 96
<p>1 me." Do you see that?</p> <p>2 A. Correct.</p> <p>3 Q. And with respect to this particular</p> <p>4 deal, SGIT was going to issue surety bonds?</p> <p>5 A. No.</p> <p>6 Q. What was SGIT's or your role in</p> <p>7 connection with the Vietnam deal?</p> <p>8 A. On the cannabis, I was just getting</p> <p>9 him in contact with the people he needed to do</p> <p>10 whatever he needed done.</p> <p>11 MR. HEFTER: Can I have that read</p> <p>12 back, please.</p> <p>13 (Requested portion was read.)</p> <p>14 Q (BY MR. HEFTER) And so you were</p> <p>15 acting as an intermediary between people in</p> <p>16 Vietnam and Hanke in connection with that deal?</p> <p>17 A. No, I just put the two together.</p> <p>18 Q. And who in Vietnam were you putting</p> <p>19 together with him?</p> <p>20 A. I couldn't tell you. I don't know</p> <p>21 what -- I don't know -- I don't know what that</p> <p>22 deal was.</p> <p>23 When did -- when did COVID start?</p> <p>24 Q. March of 2020.</p> <p>25 A. Okay. Then that Vietnam deal was not</p>	Page 95	<p>1 Q (BY MR. HEFTER) As I have just</p> <p>2 indicated,</p> <p>3 Ms. Sims, I have marked as Sims 5 the log of</p> <p>4 your text messages on your personal phone with</p> <p>5 Mr. Hanke. Did I describe this document</p> <p>6 accurately?</p> <p>7 A. Yep.</p> <p>8 Q. And was this document prepared in the</p> <p>9 same manner as the table for your business</p> <p>10 phone?</p> <p>11 A. Correct.</p> <p>12 Q. Now I notice that the first text is</p> <p>13 dated February 1st, 2019. Do you see that?</p> <p>14 A. Correct.</p> <p>15 Q. Do you know why these text only go</p> <p>16 back to February of 2019 and not before that</p> <p>17 period of time?</p> <p>18 A. Probably phone broke or whatever. I</p> <p>19 had to get a new phone. I don't know.</p> <p>20 Q. And I think we've talked about the</p> <p>21 first text of your business phone was dated</p> <p>22 November 11, 2019. Do you know why texts didn't</p> <p>23 go back further than that period of time on that</p> <p>24 phone?</p> <p>25 A. I don't know. But what it may be</p>	Page 97

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 that, when I met him, he had my personal phone, 2 and then he had gotten my business number. I 3 don't know.</p> <p>4 Q. Do you still carry two phones around 5 with you?</p> <p>6 A. No.</p> <p>7 Q. The log of this personal phone text, 8 is that still the phone that you use as your 9 personal phone?</p> <p>10 A. Yeah.</p> <p>11 Q. And just so we get the document clear 12 on the column on the furthest side of the right 13 says "Sent Message" and next to it is "Received 14 Message." Is it fair to say that the received 15 message is Mr. Hanke talking and the sent 16 messages is you talking?</p> <p>17 A. Correct.</p> <p>18 Q. So let's go to No. 33.</p> <p>19 MR. HEFTER: Maybe just for context, 20 Peter, can we just move up so Ms. Sims can read 21 a few of them. That's probably good.</p> <p>22 Q. (BY MR. HEFTER) And if you would, 23 just read through 33 for me.</p> <p>24 Sitting here today, do you have any 25 idea what transaction that you were discussing</p>	<p style="text-align: right;">Page 100</p> <p>1 context.</p> <p>2 A. Okay.</p> <p>3 Q. Where you indicate, "Sorry I'm in 4 Vegas in depositions this week."</p> <p>5 A. Okay.</p> <p>6 Q. I'm not going to ask you any 7 questions about that. I just wanted to give you 8 a sense of where you were in the world at that 9 point in time.</p> <p>10 A. Okay.</p> <p>11 Q. But if you go up to 53, Mr. Hanke is 12 providing you with the name of Lance Baraker at 13 Fortitude Capital. Do you see that?</p> <p>14 A. I do.</p> <p>15 Q. And then -- and then -- and he 16 provides his mobile telephone number?</p> <p>17 A. Uh-huh.</p> <p>18 Q. And then you indicate that you -- 19 "All good just spoke to lance!!" Do you see 20 that?</p> <p>21 A. I do.</p> <p>22 Q. Does that refresh your recollection 23 as to who Mr. Baraker was and whether you had a 24 conversation with him?</p> <p>25 A. It does not.</p>
<p style="text-align: right;">Page 99</p> <p>1 with Mr. Hanke in these set of texts?</p> <p>2 A. No.</p> <p>3 Q. When you see this, does it refresh 4 your recollection that the transaction was 5 Mr. Al Thani's transaction?</p> <p>6 A. I don't recollect that from these.</p> <p>7 Q. In 38 there is -- you asked Mr. Hanke 8 a question, "Are you working with a Rita Henry 9 out of Georgia?" Who is Rita Henry?</p> <p>10 A. I don't have a clue. It could be 11 somebody that just came across my desk, and I 12 asked him if he had ever heard of her.</p> <p>13 Q. Okay. Now, let's go to 48 on 14 April 1st, 2019. You indicate to Mr. Hanke in 15 -- hold on -- in 48, okay.</p> <p>16 You indicate to Mr. Hanke on April 17 1st at 8:54 p.m., 2019, Line Item 48, that, 18 "Alan please call me I need to talk to you to 19 finish this. Thanks."</p> <p>20 Do you know whether you were 21 referring to the transaction with Mr. Al Thani 22 at that time?</p> <p>23 A. No idea. No idea.</p> <p>24 Q. And then if we go down to No. 57, I 25 -- I refer you to 57 just to give you some</p>	<p style="text-align: right;">Page 101</p> <p>1 Q. But this confirms, based on your 2 text, that you had a conversation with 3 Mr. Baraker, correct?</p> <p>4 A. Correct.</p> <p>5 Q. If we go to -- hold on one second -- 6 62, text dated 9:05 p.m., May 29, 2019, you -- 7 you're exchanging texts with him about having a 8 conversation and says -- you say, "Later at a 9 graduation!" Do you see that?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Does that refresh your recollection 12 as that -- time period? Who was graduating?</p> <p>13 A. Probably my nephew.</p> <p>14 Q. Do you recall attending your nephew's 15 graduation?</p> <p>16 A. I did.</p> <p>17 Q. Okay. And what was he graduating 18 from?</p> <p>19 A. High school.</p> <p>20 Q. Several minutes later, at 21 9:11 p.m. -- well, strike that.</p> <p>22 At 9:06 p.m., in response to your 23 text that you were going to a graduation, 24 Mr. Hanke says, "Ok. No issues. Whenever you 25 can would be great. Or tomorrow if better</p>

<p style="text-align: right;">Page 102</p> <p>1 suited. Best." Do you see that?  2 A. Uh-huh.  3 Q. And then you say, "Ok it will be late  4 tonight so lets do tomorrow am." And he  5 responds four minutes later, at 9:11 p.m. on May  6 29th, "Thank you. I land in la guardia at 9  7 eastern so any time afterwards. Thank you." My  8 question is: So at that point in time, you were  9 aware that Mr. Hanke was traveling to New York?  10 A. Okay.  11 Q. Is that -- as of that point in time,  12 you were aware, correct?  13 A. I guess. I mean, I don't know that I  14 put two and two together with LaGuardia, but  15 traveling, I would assume.  16 Q. Okay. You're aware that LaGuardia  17 airport is located in New York City, correct?  18 A. I do.  19 Q. And you respond, "Ok travel safe."  20 Do you recall having any conversations with  21 Mr. Hanke while he was in New York?  22 A. I do not.  23 Q. Do you recall actually -- in response  24 to this set of texts about trying to set up a  25 call, do you recall getting on the phone with</p>	<p style="text-align: right;">Page 104</p> <p>1 A. I do not unless it would be William  2 Slater Vincent.  3 Q. Let's turn our attention to -- strike  4 that.  5 Do you recall having any conversation  6 with Mr. Hanke about who he was meeting with in  7 New York during --  8 A. No.  9 Q. -- on or about May 29th?  10 A. No.  11 Q. If you go down to No. 69 and 70,  12 there's a reference to RJ Barnes. Do you know  13 who RJ Barnes is?  14 A. I don't recollect that name.  15 Q. Do you have a recollection of a name  16 of Tom Ward?  17 A. Yes.  18 Q. Who is Tom Ward?  19 A. Tom Ward is a -- one of his partner  20 or business acquaintance of Alan Hanke's.  21 Q. Did you have communications with him?  22 A. I had met Tom Ward through something  23 else many, many years ago. It was just a common  24 name that -- or person that we had both run  25 across in our past.</p>
<p style="text-align: right;">Page 103</p> <p>1 him at any point in time while he was in  2 New York?  3 A. No.  4 Q. On May 31st, you indicate to  5 Mr. Hanke, "Alan I am so so so sorry. Please  6 call me when you are free." What were you  7 referring to about when you were sending your  8 apologies to him?  9 A. No idea. Probably one of his many  10 either deaths or sicknesses or something like  11 that.  12 Q. Does this refresh your recollection  13 as to whether you had a conversation with  14 Mr. Hanke during this time period?  15 A. No idea.  16 Q. Does this refresh your recollection  17 as to whether you had any email exchange or  18 other written exchange?  19 A. No. No, I could have gotten it from  20 some other person.  21 Q. That's what I was going to ask. You  22 know, do you recall having any conversation with  23 any third party about something that happened to  24 Mr. Hanke that caused you to say, I'm so so  25 sorry?</p>	<p style="text-align: right;">Page 105</p> <p>1 Q. And during the 2018 to 2020 time  2 period, did you have any written or oral  3 communications with Tom Ward?  4 A. Not that I'm aware of.  5 Q. When you conducted a search of your  6 files, did you search for any communications  7 with Mr. Ward?  8 A. Not that I'm aware of. I haven't  9 talked to this man in many, many, many years. I  10 don't know that I would even have anything.  11 Q. So if you go to 92, if you look at  12 93, there's a reference -- you ask -- you ask  13 Mr. Hanke in 92, "Are you still working with  14 that guy we spoke about that was your partner?"  15 He responds that day, "Tom Ward?" You say,  16 "Yes." Do you -- do know why you were asking  17 Mr. Hanke if he was still working with Tom Ward  18 at that point in time?  19 A. No. I'm sure somebody asked  20 something and -- or asked if I had ever -- if I  21 had talked with him or something to that nature  22 that would make me even reach out and ask that.  23 Q. Mr. Hanke, in 95, says, "Good  24 evening. I'm in the hopes -- I am hopes things  25 are getting better. I've gone some work on your</p>

<p style="text-align: right;">Page 106</p> <p>1 older bond with tom." What does that refer to?</p> <p>2 A. I don't know.</p> <p>3 Q. And then he says, "Olivas" -- okay.</p> <p>4 "Olivas has requested that we maybe</p> <p>5 meet 3 of us together in Dallas." Do you see</p> <p>6 that?</p> <p>7 A. Correct.</p> <p>8 Q. Do you know who Olivas is?</p> <p>9 A. I don't know that name.</p> <p>10 Q. And then he asked you the status of</p> <p>11 the Al Thani \$3.5 new bond, and you respond,</p> <p>12 "Sorry for delay bond is in your email."</p> <p>13 A. That meant he had sent the documents</p> <p>14 over to do the bond -- for me to do the bond.</p> <p>15 Q. Right. And you said, "Sorry for</p> <p>16 delay." Do you recall what the reason for the</p> <p>17 delay was?</p> <p>18 A. I don't know if I was traveling or</p> <p>19 wasn't there. I don't know what -- what would</p> <p>20 have caused that there was a delay on doing it,</p> <p>21 or you know, the trustee, she may have been</p> <p>22 out-of-pocket.</p> <p>23 Q. And at 8:41 on August 10, 2019, you</p> <p>24 ask a question, "How did your meeting go last</p> <p>25 night," and he responds. Do you recall what</p>	<p style="text-align: right;">Page 108</p> <p>1 would be speaking about. That may be one of</p> <p>2 them that did not -- did not transpire that he</p> <p>3 was putting together.</p> <p>4 Q. Do you recall meeting somebody who</p> <p>5 was Hanke's client even if you can't remember</p> <p>6 their name?</p> <p>7 A. No, I never met -- I never met any of</p> <p>8 Hanke's clients, never -- none of that.</p> <p>9 Q. Did you meet Hanke in Atlanta in or</p> <p>10 around September 3rd?</p> <p>11 A. Nope. Nope. I've only met him in</p> <p>12 Dallas, Texas -- Irving, Texas, at the hotel.</p> <p>13 Sorry.</p> <p>14 Q. Okay. If you go down to 123, he</p> <p>15 provides --</p> <p>16 A. Yes.</p> <p>17 Q. -- he provides you the name of John</p> <p>18 Evans SRM?</p> <p>19 A. Yes, I know the name John Evans.</p> <p>20 Q. Yeah. Did you have a telephone</p> <p>21 conversation with Mr. Evans after Mr. Hanke</p> <p>22 forwarded you his cell phone number?</p> <p>23 A. I've talked to John Evans multiple</p> <p>24 times.</p> <p>25 Q. And Mr. Evans, on behalf of SRM,</p>
<p style="text-align: right;">Page 107</p> <p>1 meeting he was in that caused you to ask how the</p> <p>2 meeting went the previous night?</p> <p>3 A. No idea. No idea.</p> <p>4 Q. And then on August 15, you say,</p> <p>5 "Alan, please call me." A few days later you</p> <p>6 say, "Good morning Alan please call me." Do you</p> <p>7 recall having any conversations with Mr. Hanke</p> <p>8 during that period of time?</p> <p>9 A. I don't recall.</p> <p>10 Q. And on 117, on September 3, 2019, you</p> <p>11 say, "Please call me. Are we still meeting your</p> <p>12 client in Atlanta this week I fly in Thursday."</p> <p>13 Do you see that?</p> <p>14 A. Correct.</p> <p>15 Q. Is it fair to say that in the early</p> <p>16 September 2019 time frame that you flew to</p> <p>17 Atlanta?</p> <p>18 A. Yes, to meet with William Slater</p> <p>19 Vincent.</p> <p>20 Q. Okay.</p> <p>21 A. My attorney.</p> <p>22 Q. And where you say, "Are we still</p> <p>23 meeting your client in Atlanta this week," who</p> <p>24 is --</p> <p>25 A. I don't know -- I don't know who he</p>	<p style="text-align: right;">Page 109</p> <p>1 threatened to sue you, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And did you have conversations with</p> <p>4 Mr. Evans prior to -- prior to those threats?</p> <p>5 A. I don't recall.</p> <p>6 Q. Let's go to 135. Hanke on</p> <p>7 September 17th at 4:30 says, "Airport boarding</p> <p>8 plane. You need me quick, or can I call in the</p> <p>9 morning?" Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. And you say, "Call me in the morning.</p> <p>12 Thanks." That was on September 17th. Do you</p> <p>13 recall having a conversation on the morning of</p> <p>14 September 18th with Hanke?</p> <p>15 A. No.</p> <p>16 Q. There's a reference in 137 to -- a</p> <p>17 reference to Clarient Capital?</p> <p>18 A. Correct.</p> <p>19 Q. Do you have a recollection of what or</p> <p>20 who Clarient Capital was?</p> <p>21 A. I had no idea. That's why I was</p> <p>22 asking anyone that I had been talking to.</p> <p>23 Q. So it says, "A Beau" -- A Beau</p> <p>24 called." Is that the -- is that a person's</p> <p>25 name, A B-e-a-u?</p>

28 (Pages 106 - 109)

<p>1 A. I don't know.</p> <p>2 Q. You don't recall?</p> <p>3 A. I don't recall.</p> <p>4 Q. You exchanged some texts with Hanke</p> <p>5 on September 20th, and you asked him politely to</p> <p>6 call you and he says he's getting his hair cut.</p> <p>7 And do you remember speaking to him on</p> <p>8 September 20th in or around the time he was</p> <p>9 getting his hair cut?</p> <p>10 A. No.</p> <p>11 Q. Go to 169. You indicate in a text at</p> <p>12 5:57 p.m. on October 15, 2019, to Mr. Hanke,</p> <p>13 "Just had heart to heart with them may be</p> <p>14 sliding you in sooner than we thought." Do you</p> <p>15 have a recollection of what you were talking</p> <p>16 about there?</p> <p>17 A. I think that had to do with him</p> <p>18 needing something medically sick-wise, needing a</p> <p>19 -- a call or something for something being sick.</p> <p>20 I mean, he's a very sick person.</p> <p>21 Q. And when you say "may be sliding you</p> <p>22 in sooner than we thought," what was your role</p> <p>23 in connection with any medical issue that</p> <p>24 Mr. Hanke was experiencing at that point?</p> <p>25 A. I don't know if he needed something.</p>	<p>Page 110</p> <p>1 A. From that text, I did.</p> <p>2 Q. Did you have any conversation with</p> <p>3 him about what he was doing in New York?</p> <p>4 A. No.</p> <p>5 Q. He indicates, "Also group will do the</p> <p>6 200m bond against trade. Let me know if you may</p> <p>7 be interested in that." And you respond, "Yes</p> <p>8 definitely." Do you see that?</p> <p>9 A. Correct.</p> <p>10 Q. And what was that in reference to?</p> <p>11 A. I don't know the transaction. I</p> <p>12 can't recall what that was about.</p> <p>13 Q. And then on the 31st at 9:00 a.m.,</p> <p>14 you say, "Please call me I have that transaction</p> <p>15 that is wanting to move forward." What</p> <p>16 transaction was that?</p> <p>17 A. I don't know what it is.</p> <p>18 Q. And then on November 1st at</p> <p>19 1:32 p.m., 2019, you say, "Got green light on</p> <p>20 pickup of cash!! Need to talk."</p> <p>21 A. That's his cannabis stuff. So that</p> <p>22 would be what the 190 is about is his</p> <p>23 transaction with his cannabis stuff.</p> <p>24 Q. What did you mean when you say "Got</p> <p>25 green light on pickup of cash"? Are you going</p>
<p>1 I don't know. I don't know what that's</p> <p>2 referencing.</p> <p>3 Q. Who did you have a heart to heart</p> <p>4 with?</p> <p>5 A. I don't know. I don't know what that</p> <p>6 statement is referencing.</p> <p>7 Q. You don't have a recollection sitting</p> <p>8 here today?</p> <p>9 A. None.</p> <p>10 Q. Let's go to 185. Well, let's --</p> <p>11 let's go back to 184, but it's just right there,</p> <p>12 and 185. On October 24th at 3:00 p.m., you</p> <p>13 asked Mr. Hanke, quote, "Any luck on getting the</p> <p>14 loan???" And then you repeat the same</p> <p>15 communication verbatim on October 27th at</p> <p>16 9:39 p.m., "Any luck on getting the loan???"</p> <p>17 What was that reference to?</p> <p>18 A. I don't know. That's one of the</p> <p>19 times he was looking at doing some sort of</p> <p>20 lending. I don't know if this was one of his</p> <p>21 real estate pieces or not.</p> <p>22 Q. He responds, "No not yet. Going to</p> <p>23 nyc in morning." So as of October 27th at</p> <p>24 9:42 p.m., you were aware that on October 28th,</p> <p>25 Mr. Hanke was traveling to New York?</p>	<p>Page 111</p> <p>1 somewhere to pick up cash?</p> <p>2 A. No. Within his cannabis business, he</p> <p>3 has -- he had -- it's a cash business.</p> <p>4 Q. Correct me if I'm wrong, but you are</p> <p>5 the one that said you got the green light on</p> <p>6 pickup of cash, right?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And what were you doing to</p> <p>9 pick up the cash?</p> <p>10 A. I don't have a clue there.</p> <p>11 Q. So you don't -- sitting here today,</p> <p>12 you don't have a recollection of what it means</p> <p>13 to say, "I got the green light on pickup of</p> <p>14 cash. Need to talk"?</p> <p>15 A. No. Well, no. He was -- he was</p> <p>16 always looking for various different places he</p> <p>17 could have cash picked up with cannabis</p> <p>18 business.</p> <p>19 Q. And did you pick up cash on his</p> <p>20 behalf?</p> <p>21 A. Nope. Nothing ever transpired. He</p> <p>22 never -- he never -- he never did anything</p> <p>23 outside of bonds.</p> <p>24 Q. Who gave you the green light to pick</p> <p>25 up the cash?</p>

<p style="text-align: right;">Page 114</p> <p>1 A. I have no idea.    2 Q. He responds, "Ok." Did you speak to    3 him about the picking up of the cash?    4 A. I don't recall.    5 Q. You propose to him, correct? "Alan    6 standard fees are 2% that includes pickup and    7 process."    8 A. I'm not seeing that. I don't see    9 where you're seeing that.    10 Q. On November 1st at 2:46 p.m. Sorry.    11 Yeah. It's the text right after "Got green    12 light on" --    13 A. Okay.    14 Q. -- "pickup of cash?"    15 A. Okay. I must have put him with    16 somebody that could do that -- do that    17 transaction and pick it up    18 for Pacific Bank. And whatever transaction it    19 was, he had -- was asking for wire to Indonesia.    20 Q. And did you have a relationship with    21 anybody at Pacific Bank that you put him in    22 touch with?    23 A. Not that I'm aware of.    24 Q. You say, "Pacific Bank. Direct with    25 owners." What does that mean?</p>	<p style="text-align: right;">Page 116</p> <p>1 Reit program." What was he talking about "your    2 Reit program"?    3 A. I don't know. I guess somebody had,    4 at that time, had a -- a REIT that was taking    5 loans in.    6 Q. Do you have any recollection of what    7 DCS Holdings LLC is?    8 A. No idea. I guess -- I know MAC    9 Global is one of his entities. I guess DCS is    10 one of his also. I don't know.    11 Q. Let's go to 226. You say to him,    12 "Definitely have new pipeline I can bring forth,    13 even tonight had 2 calls but stayed high level."    14 Who were you having calls with?    15 A. I don't have a clue, but that could    16 -- that could be another cut-and-paste one and    17 not be mine.    18 Q. Sitting here today, you don't know    19 that to be true, correct?    20 A. I don't know that at all.    21 Q. Right. On November 15th you asked    22 Mr. Hanke, "What's happening on the 150m bond    23 deal and bank is calling where we at on currency    24 out of jacarda?"    25 A. Same thing. He would call with</p>
<p style="text-align: right;">Page 115</p> <p>1 A. I don't know. I don't know if that    2 goes with the same one. I don't know.    3 Q. You indicate, "Please send me a    4 detail outline of what you are thinking on first    5 batch and I will have process and dates ready!"    6 Do you see that?    7 A. Correct.    8 Q. And so were you -- were you involved    9 in this particular deal involving Indonesia?    10 A. It never -- there was never a deal    11 transpired. He never provided everything. He    12 would ask the question. You would go ask    13 somebody. They would come back, say yes, it's    14 okay, and he would never move forward. He never    15 had the -- had the -- the paperwork    16 documentation to do it.    17 Q. Let's go on 2010 -- I mean 210.    18 A. Right there it states he doesn't --    19 he still don't anything -- I still don't know    20 anything about it. He has not provided    21 anything.    22 Q. He indicates on November 6th, says,    23 "Sherry let's use DSC Holding LLC or MAC Global    24 Partners LLC. Both in Wyoming. Also, what if    25 property has mortgage or balance owed for your</p>	<p style="text-align: right;">Page 117</p> <p>1 various different things and then never follow    2 up and never get anything in.    3 Q. And where you said "bank is calling    4 where we at on the currency out of jacarda," you    5 were working with the bank on that particular    6 transaction?    7 A. No, they were wanting -- he was    8 wanting to engage with them, but he never got    9 them anything over.    10 Q. So what was your role in connection    11 with this? And why are you asking him to talk    12 or --    13 A. Again, if they tried --    14 Q. -- asking what's happen --    15 A. Again, if they tried and get ahold of    16 him, they can't get ahold of him, then they    17 would call me.    18 Q. And then you turn around and you're    19 asking what the status of the bond deal is,    20 correct?    21 A. Correct.    22 Q. Do you have a recollection of who    23 Reed Collinsworth is?    24 A. Who?    25 Q. Reed Collinsworth.</p>

<p>Page 118</p> <p>1 A. I don't recall that name.    2 Q. How about a Cain McKnight?    3 A. Know that one very well.    4 Q. Who is Cain McKnight?    5 A. A thief in Dallas.    6 Q. Pardon me?    7 A. A thief in Dallas.    8 Q. Okay. And you asked Hanke whether    9 he's ever dealt Cain McKnight?    10 A. Correct.    11 Q. And what was the purpose of your    12 question?    13 A. Because I wanted to see if he had    14 been screwed over by Cain McKnight.    15 MR. HEFTER: Go to 399, if you will,    16 Peter.    17 Q. (BY MR. HEFTER) Have you read that    18 text?    19 A. Yeah. I don't know where -- who it's    20 about.    21 Q. Am I correct in noting that "skr" is    22 a reference to Swedish Krona?    23 A. I don't know what that means. SKR in    24 my book is what Max used with his gold.    25 Q. Okay. Sitting here today, you don't</p>	<p>Page 120</p> <p>1 providing a name of a bank to Mr. Hanke for the    2 purposes of this transaction?    3 A. I don't recall.    4 Q. On 505, Hanke on -- Mr. Hanke on    5 January 9, 2020, at 4:07, says, "Sherry.    6 Landed. Any call time?" Do you have a    7 recollection as to where Mr. Hanke was traveling    8 at this?    9 A. No idea.    10 Q. Were you aware that Mr. Hanke was in    11 New York on January 9th?    12 A. I don't recall.    13 Q. You say, "Can you check on \$\$\$. My    14 attorney is just all over me"?</p> <p>15 A. That would be William Slater Vincent.    16 Q. So that's a -- that's a reference to    17 a conversation that you had with Mr. Vincent?    18 A. I'm sure. He's the only attorney    19 that would be all over me.    20 Q. On January 10th at 11:41 a.m., Text    21 No. 531, it says, "Just spoke to Rick." Who is    22 Rick? Do you know?    23 A. I don't have a clue.    24 Q. No recollection when you told    25 Mr. Hanke that you just to Rick what you were</p>
<p>Page 119</p> <p>1 know whether that's a reference to the currency    2 of Swedish, which is Swedish Krona?    3 A. No. That has nothing to do with    4 that. I typed it. It has nothing to do with    5 that. SKR is a safekeeping receipt.    6 Q. Okay. Thank you. That helps.    7 A. That's used in gold, and that's Max.    8 Q. Okay. So on 473 and 474, you're    9 having an exchange with Mr. Hanke right after    10 New Year's, and he indicates, "On the plane.    11 I'm good on bond. What I was looking for was    12 the info on the people for currencyvtanfer." Do    13 you know what he was referring to?    14 A. I don't know what he's referring to.    15 Q. That may be a typo. He also    16 indicates you mentioned that they -- he said to    17 you, you mentioned that they also owned bank    18 (name I forgot?) And can open accounts too if    19 needed. Call you when I land." And you say,    20 "Ok yes." What were you responding in the    21 affirmative to?    22 A. I don't know.    23 Q. Do you recall --    24 A. That doesn't make sense.    25 Q. Do you have a -- do you recall</p>	<p>Page 121</p> <p>1 referring to?    2 A. Can you go -- can you go down? And    3 is there any more correspondence that would    4 bring anything up?    5 Q. We can show those to you, for sure.    6 A. No. I don't know who it would be.    7 Q. On 537 you indicate to Mr. Hanke --    8 you asked him, I should say, "Can you do    9 anything with an MTN backed by gold but not    10 trading?" Do you see that?    11 A. I don't because it's not moved up.    12 Q. Fair enough. We'll get there.    13 MR. BAUTZ: Which number was that,    14 Michael?    15 A. 537?    16 Q. (BY MR. HEFTER) 537, yeah.    17 A. There we go.    18 No.    19 Q. Are you familiar with MTN being a    20 reference for medium term notes?    21 A. Correct.    22 Q. But you -- this doesn't ring a bell    23 as to what you were talking about here?    24 A. No. It could have been something    25 William and I put together to try and flush</p>

<p style="text-align: right;">Page 122</p> <p>1 anything out we could with Alan. Just like 539.  2 Q. All right. Go to 578. It says,  3 "Call me just spoke to cash guys." You keep on  4 referring to these cash guys. Does this refresh  5 your recollection as to who they were?  6 A. No. It was with -- anything of the  7 cash guys is his cannabis stuff. It would have  8 been something that I referred over to him and  9 he hadn't gotten back with them and they would  10 call me.  11 Q. On January 21st at 585, it says,  12 "Just spoke to nick putting fire under their  13 ass: Do you have a recollection who Nick was?  14 A. I don't have a clue. I don't know if  15 it someone on his side. I don't know.  16 Q. Okay.  17 A. You can see where it states, "Still  18 getting the strange calls," so I don't know if  19 that may be part of it.  20 Q. On 789, it says, "Nicks on standby to  21 start demetries deal." Does your refresh your  22 recollection of who Nick was?  23 A. Nick was a guy that I knew that did  24 payrolling. And Alan must have asked for a  25 payrolling service or had somebody that was</p>	<p style="text-align: right;">Page 124</p> <p>1 between Mr. Hanke and  2 Ms. Sims dated around July 29th, 2020. I'll  3 just ask you to look at this document, Ms. Sims,  4 which is an email exchange as I've just  5 described.  6 MR. BAUTZ: Ms. Sims, this  7 is a fairly lengthy document, and so  8 you can just let me know when you're  9 ready for me to scroll down so you  10 can keep reviewing. That would be  11 great. Thank you.  12 Q. (BY MR. HEFTER) Ms. Sims, are you  13 reading this document?  14 A. I am.  15 Q. Okay. Fine. Take your time. That's  16 fine.  17 Have you had a chance to read through  18 it?  19 A. Yes.  20 MR. HEFTER: Stop. If you  21 can stop there where you were. I  22 think it was closer to the bottom.  23 Q. (BY MR. HEFTER) I want to ask you  24 this question, Ms. Sims.  25 A. Yes.</p>
<p style="text-align: right;">Page 123</p> <p>1 needing payrolling service.  2 Q. And do you have a recollection as to  3 what you (Zoom distortion) when you said  4 "demetries deal"?</p> <p>5 A. I don't know who Demetries is. It  6 must have been somebody that Alan was talking  7 about.</p> <p>8 Q. By the way, I see a reference to  9 (Zoom distortion) in your text to Maki, M-a-k-i.</p> <p>10 A. Right.</p> <p>11 Q. That was another --</p> <p>12 A. That is the -- that's the cannabis  13 license deal.</p> <p>14 Q. And that was a deal that also  15 resulted in litigation?</p> <p>16 A. No, it didn't -- I don't think it  17 went to litigation because -- I don't know  18 exactly what happened to it. Mike was handling  19 it. I didn't get involved until deposition.</p> <p>20 MR. HEFTER: Why don't we  21 take a break.</p> <p>22 (Recess 2:14 p.m. to 2:26 p.m.)</p> <p>23 (Exhibit No. 6 introduced.)</p> <p>24 Q. (BY MR. HEFTER) Let me mark for  25 identification as Sims 6 an email exchange</p>	<p style="text-align: right;">Page 125</p> <p>1 Q. You were aware that SRM had raised a  2 dispute about the performance under the bonds  3 issued in that transaction?</p> <p>4 A. Correct.</p> <p>5 Q. And did you have direct conversations  6 with SRM about a resolution of that matter?</p> <p>7 A. John Evans and I had spoke numerous  8 times in regards to it because there was various  9 emails with -- regarding Alan. There would be a  10 dispute. They would send the thing. Then I  11 would get a counter email from Alan saying they  12 signed off and everything was fine. It went  13 back and forth and back and forth. So it was  14 kind of a yo-yo situation.</p> <p>15 Q. And you would have noted that they  16 threatened to come to us with damaging  17 information for our lawsuit. Do you recall  18 reading that?</p> <p>19 A. Correct.</p> <p>20 Q. And how did you respond to that?</p> <p>21 A. In talking with my attorney, he  22 informed me that how the --</p> <p>23 Q. Hold on. Hold on. Hold on.  24 I don't want to hear anything -- I'm  25 protecting you here. So I don't want to --</p>

<p>1       A. Right.</p> <p>2       Q. -- I don't want to hear anything that</p> <p>3       was communicated between you and your attorney.</p> <p>4       A. Okay.</p> <p>5       Q. I'm not entitled to that.</p> <p>6       A. Okay.</p> <p>7       Q. Let me ask you this. Can you answer</p> <p>8       that question without revealing communications</p> <p>9       with your attorney?</p> <p>10       I'm going to withdraw the question in</p> <p>11       its entirety.</p> <p>12       Do you know whether funds were paid</p> <p>13       to SRM to prevent SRM from providing information</p> <p>14       to us as threatened in their letter?</p> <p>15       A. Through SubGallagher? Or through</p> <p>16       Alan Hanke?</p> <p>17       Q. From any source.</p> <p>18       A. I know SubGallagher did not. Alan, I</p> <p>19       can't answer that. He always stated that he was</p> <p>20       taking care of everything, everything was fine,</p> <p>21       there's not a problem.</p> <p>22       Q. Okay. So you don't have any</p> <p>23       independent knowledge whether he took care of</p> <p>24       that, but as far as you know, SubGallagher did</p> <p>25       not?</p>	<p>Page 126</p> <p>1       one of them that was okay or didn't happen. I</p> <p>2       know the name. The name was a part of it, but I</p> <p>3       don't know which side they were on without</p> <p>4       looking it up.</p> <p>5       Q. Do you know whether Harvard</p> <p>6       Distributing was paid out anything in connection</p> <p>7       with any transaction involving SGIT?</p> <p>8       A. I don't -- as confirmation, only one</p> <p>9       that I know that ever got paid was one of</p> <p>10       Al Thani's was the only thing that I know of</p> <p>11       that Alan ever paid anyone.</p> <p>12       Q. So it's your understanding that</p> <p>13       Mr. Al Thani was paid money as a result of his</p> <p>14       investment?</p> <p>15       A. Well, it's not really per him paid,</p> <p>16       but through knowledge of money being wired to</p> <p>17       the attorney's account and the people involved</p> <p>18       with his transaction were paid?</p> <p>19       Q. Oh, you're talking about the Mills</p> <p>20       Rogers account?</p> <p>21       A. No.</p> <p>22       Q. Are you aware of whether Harvard</p> <p>23       Distributing received any funds as a result of</p> <p>24       the Al Thani transaction or the Stephens</p> <p>25       transaction?</p> <p>Page 127</p> <p>1       A. SubGallagher did not.</p> <p>2       Q. Okay. Fair enough. Thank you.</p> <p>3       Am I correct -- I'm switching topics</p> <p>4       and you can take the document off the screen.</p> <p>5       Am I correct that SGIT provided a</p> <p>6       surety bond for a transaction involving Harvard</p> <p>7       Distributing?</p> <p>8       A. Again, I don't know if that's one of</p> <p>9       them that went forward through because Alan had</p> <p>10       -- there was about four or five in there that he</p> <p>11       did but they did not -- and I don't know if</p> <p>12       Harvard was one of them that did or did not go.</p> <p>13       Q. So sitting here today, you don't</p> <p>14       recall one way or the other whether it was a</p> <p>15       surety bond issued by SGIT for the purposes of</p> <p>16       completing a transaction with Harvard</p> <p>17       Distributing?</p> <p>18       A. I don't know if it was a live bond,</p> <p>19       if Alan commenced on it, if he acted on it,</p> <p>20       because there was two or three in there that he</p> <p>21       had asked for. And once done, after review, I</p> <p>22       would call him and say, What's the status of</p> <p>23       each and every bond, and he would, like, Oh,</p> <p>24       that one didn't happen, that one didn't happen,</p> <p>25       that one's okay. And I don't know if that was</p>	<p>Page 128</p> <p>1       A. I don't know anything about that.</p> <p>2       Q. Okay. Are you aware that SGIT also</p> <p>3       issued a surety bond in connection with a</p> <p>4       transaction for Fortitude?</p> <p>5       A. Again, that's going to fall in some</p> <p>6       of those that I don't know which ones were live</p> <p>7       and which ones he canceled. I don't know that</p> <p>8       without researching.</p> <p>9       Q. And do you know, sitting here today,</p> <p>10       whether Fortitude received any funds out of the</p> <p>11       proceeds of either the Al Thani transaction or</p> <p>12       Stephens transaction?</p> <p>13       A. I don't know of any funds being</p> <p>14       transferred except the Al Thani one.</p> <p>15       Q. Okay.</p> <p>16       A. That received money.</p> <p>17       MR. HEFTER: Okay. I have</p> <p>18       no further questions for the witness</p> <p>19       at this time.</p> <p>20       MR. SMAYLOVSKY: I have no</p> <p>21       questions.</p> <p>22       (Deposition concluded at 2:45 p.m.)</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 129</p>
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<p style="text-align: right;">Page 130</p> <p>1 Sherry Sims 2 srsholdings@gmail.com 3 September 7, 2022. 4 RE: Mohammed Thani A.T. Al Thani v. Alan J. Hanke, et al. 5 8/25/2022, Sherry Sims (#5378175) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 cs-ny@veritext.com. 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25</p>	<p style="text-align: right;">Page 132</p> <p>1 SIGNATURE BY WITNESS 2 I, SHERRY SIMS, have read the 3 foregoing deposition and hereby affix my 4 signature that same is true and correct, except 5 as noted above. 6 _____ 7 SHERRY SIMS 8 9 THE STATE OF _____ ) 10 COUNTY OF _____ ) 11 Before me, _____, on 12 this day personally appeared SHERRY SIMS, known 13 to me (or proved to me under oath or through 14 _____ (description of identity card or 15 other document) to be the person whose name is 16 subscribed to the foregoing instrument and 17 acknowledged to me that they executed the same 18 for the purposes and consideration therein 19 expressed. 20 Given under my hand and seal of 21 office this _____ day of _____, 2022. 22 23 _____ 24 NOTARY PUBLIC IN AND FOR 25 THE STATE OF TEXAS</p>
<p style="text-align: right;">Page 131</p> <p>1 CHANGES AND SIGNATURE 2 SHERRY SIMS 08/25/2022 3 PAGE LINE CHANGE REASON 4 _____ 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 _____ 21 _____ 22 _____ 23 _____ 24 _____ 25 _____</p>	<p style="text-align: right;">Page 133</p> <p>1 UNITED STATES DISTRICT COURT 2 SOUTHERN DISTRICT OF NEW YORK 3 4 MOHAMMED THANI A.T. AL THANI* * 5 VS. * NO. 20-CV-4765 * (JMP) 6 ALAN J. HANKE, ET AL * 7 8 REPORTER'S CERTIFICATION DEPOSITION OF SHERRY SIMS AUGUST 25, 2022 9 10 I, GAIL SPURGEON, Certified 11 Shorthand Reporter in and for the State of Texas, hereby certify to the following: 12 That the foregoing deposition of 13 SHERRY SIMS was reported by me stenographically at the time and place indicated, said witness 14 having been placed under oath by me, and that the transcript is a true record of the testimony given by the witness; 15 I further certify that pursuant to FRCP Rule 30(f)(1) that the signature of the deponent: 16 X was requested by the deponent or a party before the completion of the deposition and is to be returned within 30 days from date 19 of receipt of the transcript. If returned, the attached Changes and Signature Page contains any 20 changes and the reasons therefor; 21 _____ was not requested by the deponent or a party before the completion of the deposition; 22 I further certify that I am neither 23 counsel for, related to, nor employed by any of the parties or attorneys in the action in which 24 this proceeding was taken, and further that I am not financially or otherwise interested in the 25 outcome of the action.</p>

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES

ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1,

2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES  
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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